

# PARTICIPATION PLAN

## HUNTINGTON, WV-KY-OH TRANSPORTATION MANAGEMENT AREA



KYOVA Interstate Planning Commission  
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May 2015

*\*Modified to reflect clerical and typographical errors. No changes to the process occurred.*

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RESOLUTION # FY2015-039

**RESOLUTION APPROVING  
THE KYOVA INTERSTATE PLANNING COMMISSION PARTICIPATION PLAN  
FOR THE HUNTINGTON, WV-KY-OH  
TRANSPORTATION MANAGEMENT AREA (TMA)**

- WHEREAS,** KYOVA Interstate Planning Commission (KYOVA) has been designated by the States of West Virginia, Kentucky and Ohio as the official Metropolitan Planning Organization for the Huntington, WV-KY-OH Transportation Management Area (TMA); and
- WHEREAS,** the KYOVA Policy Committee has responsibility for the KYOVA policy functions; and
- WHEREAS,** 23 CFR 450.316 and the Moving Ahead for Progress in the 21<sup>st</sup> Century Act require that the metropolitan planning process provide for proactive public involvement that provides complete information, timely public notice, full public access to key decisions and supports early and continuous involvement of the public in developing plans; and
- WHEREAS,** the KYOVA staff has developed a Participation Plan that meets federal requirements; and
- WHEREAS,** the Participation Plan has completed the required 45-day public review and comment period which began March 17, 2015 and ended at close of business May 1, 2015.
- NOW, THEREFORE BE IT RESOLVED** that the KYOVA Interstate Planning Commission Policy Committee at its regularly scheduled meeting on April 17, 2015 endorses the KYOVA Interstate Planning Commission Participation Plan, dated May 2015, pending no significant comment for the remainder of the 45-day comment period which concludes at close of business May 1, 2015.

  
Robert E. Pasley, Chairman

Date: April 17, 2015

  
Michele P. Craig, Executive Director

Date: April 17, 2015

## **SECTION 1**

### **Overview of the Huntington, WV-KY-OH Transportation Management Area (TMA)**

KYOVA Interstate Planning Commission (KYOVA) is an association of local governments in southwestern West Virginia, northeastern Kentucky and southern Ohio that serve as a forum for assessing and acting upon regional transportation issues. The Commission's goal is to promote cooperation among members, the governments closest to the people and to maximize their capabilities for solving problems that cannot be solved by any one jurisdiction.

KYOVA was formally organized on October 11, 1968. Its creation, via interstate compact, was the culmination of years of thought initiated in 1965 with the beginning of the Huntington-Ashland-Ironton Area Transportation Study (HAIATS). KYOVA was formed from HAIATS to coordinate and administer transportation planning. To provide a recognized geographical area of activity, in 1966, the Bureau of the Census designated the urbanized area of Huntington-Ashland-Ironton as the Metropolitan Statistical Area (MSA). This area included: Cabell and Wayne counties in West Virginia; Boyd and Greenup counties in Kentucky and Lawrence County, Ohio. In 1973 and 1981 the Bureau of the Census expanded the MSA to include Carter County, Kentucky. In the late 1980's, the Kentucky counties succeeded from the KYOVA region and the Commonwealth of Kentucky designated FIVCO Area Development District to act as the MPO and perform planning activities in Kentucky.

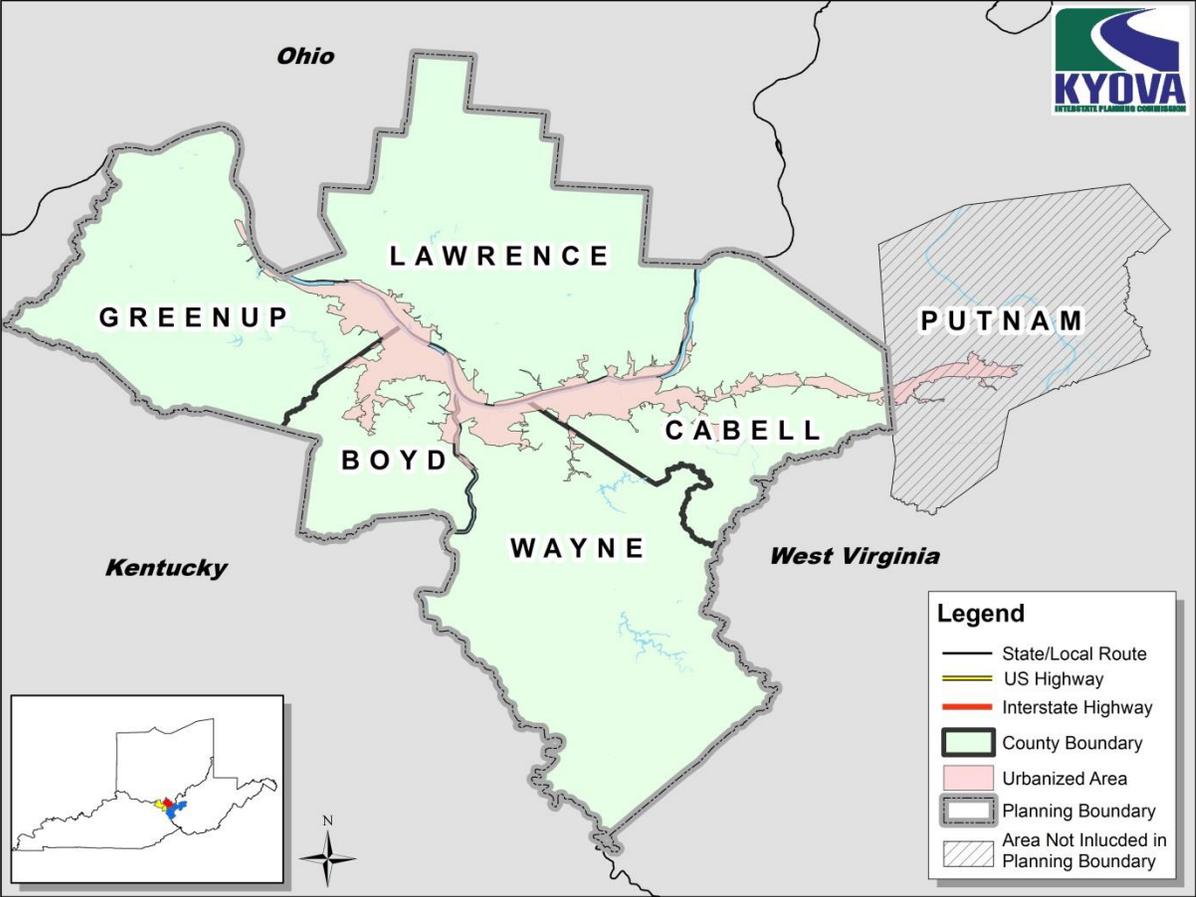
Metropolitan Planning Organizations are the designated entities which coordinate and direct transportation planning efforts in the nation's urbanized areas. An urbanized area is defined as an area with the total population greater than 50,000. A Transportation Management Area (TMA) is defined as an urbanized area with the total population equal to or greater than 200,000. The federal government requires MPOs and TMA's to develop Metropolitan Transportation Plans (MTP), Transportation Improvement Programs (TIP), and Unified Planning Work Programs (UPWP) and to base such products on the "3C" (continuous, cooperative, and comprehensive) planning process. The basic mission for the local MPO/TMA is to meet the federal requirements for both product and procedure, while focusing its efforts on the attainment/conformity of area highway, pedestrian/bicycle, and transit system needs.

The total population for the Huntington, WV-KY-OH Urbanized Area exceeded 200,000 in the 2010 census. Based on the 2010 Census Bureau definition of an Urbanized Area, Huntington, WV-KY-OH Urbanized Area geographical boundaries include: West Virginia counties of Cabell, Wayne and a portion of Putnam<sup>1</sup>, Kentucky counties of Boyd and Greenup and Lawrence County, Ohio. As a result of the population growth, the area has been designated a Transportation Management Area (TMA). **Figure 1** illustrates the TMA planning boundary.

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<sup>1</sup> Putnam County's transportation planning activities fall under the responsibility of Regional Intergovernmental Council located in Charleston, WV.

**Figure 1: KYOVA Planning Boundary for the Huntington, WV-KY-OH TMA**



**Table 1** depicts the 2010 land area of the counties and the largest cities of the Huntington, WV-KY-OH TMA. The KYOVA planning area includes approximately 1,775 square miles.

**Table 1: Huntington, WV-KY-OH TMA Land Area**

Location	Land Area (square miles)
Cabell County, WV	281.02
Huntington, WV	16.20
Wayne County, WV	505.98
Boyd County, KY	159.86
Ashland, KY	10.74
Greenup County, KY	344.40
Lawrence County, OH	453.37
Ironton, OH	4.16

Source: 2010 US Census State and County Quick Facts

## **Section 2**

### **Public Participation Process General Guidelines for the Huntington, WV-KY-OH TMA**

#### **Guiding Legislation: SAFETEA-LU and MAP-21**

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 190-59; SAFETEA-LU) was signed into law on August 10, 2005. The Act required a MPO to develop a participation plan in consultation with interested parties that provides reasonable opportunities for all parties to comment. To carry out the Participation Plan, public meetings are to be: conducted at convenient and accessible locations at convenient times; employ visualization techniques to describe plans; and make public information available in an electronically accessible format, such as on the Web. Representatives of users of pedestrian walkways, bicycle transportation facilities, and the disabled were specifically added as parties to be provided with the opportunity to participate the planning process.

On July 6, 2013 Moving Ahead for Progress in the 21<sup>st</sup> Century Act (P. L. 112-141; MAP-21) was signed. The law did not go into effect until October 1, 2012 but public involvement remains a hallmark of the transportation planning process.

MAP-21 encourages MPOs to consult with other planning officials responsible for other types of planning activities that are affected by transportation in the area (including state and local planned growth, economic development, environmental protection, airport operations and freight movements) via Section 134(a) U.S.C. In addition, the MPOs transportation planning process will serve to promote consistency between transportation improvements and state and local planned growth and economic development patterns as part of the Metropolitan Transportation Plan (MTP) update.

#### **Public Participation General Guidance**

Public participation is a key component of the transportation decision-making process that allows the public the opportunity to voice concerns, offer suggestions and make recommendations regarding transportation related issues and specific projects. It is designed to inform and educate the public about the technical facets of transportation planning. Public participation affords transportation professionals and decision-makers the opportunity to see other sides of an issue that may be missed when considering a project from a technical view point. Meaningful dialogue among technical professionals, local decision-makers, and general stakeholders generated through a public participation process is vital to achieving consensus, which is desired before moving a transportation project or program forward. Additional benefits of public participation include:

- Developing a sense of community and ownership;
- Identifying issues and concerns that matter most to the citizens;
- Fostering trust in the decision-making process and with decision-makers;
- Ensuring accountability;
- Encouraging cooperation and compromise;
- Preventing and/or mitigating future conflict.

It is the goal of KYOVA to provide an open planning process with multiple opportunities for public participation and input and will utilize the process outlined in this report. It includes proactive public involvement methods targeting those who are traditionally underserved by existing transportation systems, such as low-income and minority households. Opportunity will also be provided for public comment of draft plans which will be available in accessible formats while utilizing appropriate visualization techniques available to KYOVA.

The public participation process must be proactive and provide complete information, timely public notices, full public access to key decisions and the opportunity for early and continuing participation. The MPO is thus required to implement strategies that ensure that there are no barriers to citizen participation and that minority and low-income populations are engaged in transportation decision making.

To determine the targeted populations an analysis of the Huntington, WV-KY-OH TMA demographics must be undertaken. We can identify these populations by various statistical abstracts (U.S. Census Bureau, Kentucky State Data Center, etc.) and customize a plan to maximize the impact of our efforts. The data included in this report denote the diversity of the populations. This data is compiled from the 2010 U. S. Census and does not reflect population changes occurring since that time. Efforts have been made to ensure that it provide the best coverage for the expenditures made to contact people concerning projects. *See Appendix E for detailed description of the Regulatory Requirements.*

All transportation planning will comply with the Federal laws relating to nondiscrimination. These laws include but are not limited to:

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d-1): prohibits discrimination on the basis of race, color, or national origin;
- Section 504 of the Rehabilitation Act of 1973 – as amended (29 USC 794): prohibits discrimination on the basis of handicap;
- Age Discrimination Act of 1975 - as amended (42 USC 6101 et seq.): prohibits discrimination on the basis of age;
- Federal-Aid Highway Act of 1962: created the federal requirement for urban transportation planning largely in response to the construction of the Interstate Highway System and the planning of routes through and around urban areas.
- Americans with Disabilities Act: prohibits discrimination on the basis of disability; and applicable regulatory requirements to the end that no person in the United States shall, on the grounds of race, color, national origin, handicap, age, or disability excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the transportation planning process.

Involving the public is a major challenge, especially in the metropolitan planning process. Metropolitan transportation planning has a lengthy time-frame and is focused on transportation system-level planning rather than actual project design and construction. Therefore, to help meet these challenges, the primary purpose of KYOVA Interstate Planning Commission's (KYOVA) Participation Plan is to explain to all transportation system stakeholders how they can participate in the transportation planning process. Stakeholders include first and foremost citizens, but also include other interested parties.

This Plan explains how KYOVA disseminates as well as receives information. The provision of information is essential for active participation in the transportation planning process. Active participation is keeping in line with the federal element of “cooperative” of the federal “3C” planning process. The three C’s stand for continuous, comprehensive and cooperative.

The Plan is an ever evolving document and will be continually reviewed for possible revisions. This document replaces KYOVA Interstate Planning Commission Participation Plan dated October 30, 2012 and the Ashland Area MPO Participation Plan adopted on April 23, 2013 and will serve as the Public Participation Procedures for the Huntington, WV-KY-OH TMA.

The Public Involvement activities for the Huntington, WV-KY-OH TMA Participation Plan are documented in Section D. The Plan is coordinated with the stakeholders on the Public Outreach Contact List (*Appendix E*), the Interagency Coordination List (*Appendix H*) and current Statewide Transportation Interested Parties.

### ***Providers of Public Transportation***

The KYOVA Interstate Planning Commission consults with public and private transportation agencies and non-profit agencies that receive federal transportation funds. The Tri-State Transit Authority (TTA), the Ashland Bus System (ABS) and the Lawrence County Transit (LCT) are voting members of the KYOVA MPO’s Technical Advisory Committee (TAC) and the Policy Committee (PC) and are planning partners involved in all aspects of the Huntington, WV-KY-OH Urbanized Area (KYOVA) planning process.

Other transportation service providers were identified during the development of the *KYOVA TMA Coordinated Public Transit-Human Services Transportation Plan*. The *Coordinated Plan* was prepared in accordance with federal guidelines that require KYOVA to assess all transit options for the region. The *Coordinated Plan* is used to justify and support funding for new and innovative transit programs that serve people with disabilities, increase access to employment and economic opportunities and provide transit access in rural areas. Transportation providers, in addition to TTA, ABS and LCT, such as private and non-profit transportation and human services providers, as well as the general public were invited to participate and be involved throughout the development of the *Coordinated Plan*. As the Human Services process evolves, more providers may be added to the Huntington, WV-KY-OH Urbanized Area (KYOVA) consultation process.

### ***Open Door Policy***

KYOVA maintains an open door policy. Citizens who would like to express an opinion or have questions should feel free to contact KYOVA at any time. The KYOVA office is housed at 400 Third Avenue, Huntington, West Virginia, 25701. The office phone number is 304-523-7434 and the fax number is 304-529-7229. Each staff member can easily be reached at their designated e-mail addresses which can be found at the KYOVA website <http://www.kyovaipc.org>.

## **Section 3**

### **Participation Plan – General and Targeted Outreach Methodology**

#### **Proactive Public Involvement Methods**

Outreach efforts will strive to involve as many people in the community as possible, paying particular attention to those individual groups we have identified and to make them aware of the process as well as encourage their input. Newspaper advertisements, flyers in county/city libraries and announcements by local radio stations will be included in the outreach process. Additionally;

- KYOVA will seek places that cater to the low-income and disabled populations and will attempt to solicit feedback from these populations. For those who wish to receive the information electronically, our web-site ([www.wvs.state.wv.us/kyova/](http://www.wvs.state.wv.us/kyova/)) will provide the information in a web-based format.
- Meetings and documents will be posted on the KYOVA website ([www.wvs.state.wv.us/kyova/](http://www.wvs.state.wv.us/kyova/)).
- Comments (electronically, written or verbal) will be solicited from the public.
- Invite the public to submit electronic, written or verbal comments on the transportation plans.
- Visualization technique (maps, graphs, photos, presentations, drawings, etc.) may be employed to describe KYOVA's plans and programs.

#### **Title VI, Environmental Justice and Americans with Disabilities Act**

Environmental Justice Considerations of Title VI of the 1964 Civil Rights Act (42 U.S.C. 2000d-1) states that *“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”* Title VI bars intentional discrimination as well as disparate impact discrimination (i.e. a neutral policy or practice that has a disparate impact on protected groups).

The *Federal Executive Order (#12898)* pertaining to the Environmental Justice (EJ) further amplifies Title VI by providing that *“each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”* KYOVA pledges to adhere to and advance the principle of Environmental Justice and integrate this concept into the participation process.

The *Americans with Disabilities Act (ADA) of 1990* prohibits discrimination on the basis of disability by public entities in service, programs and activities. Public entities are required to make programs accessible to individuals with disabilities including conducting meetings and hearings in ADA-compliant buildings. Special accommodations must be provided to ensure communications are equally effective for persons with disabilities in order to participate in meeting, planning and program activities. KYOVA pledges to adhere to and advance the principles of the Americans with Disabilities Act of 1990 and integrate this concept into the participation planning process.

Other mandates prohibiting the discrimination of those served by federal programs include:

- *Section 49 Part 25 of the Federal Aid Highway Act*, the enabling legislation of the Federal Highway Administration, prohibits discrimination based on sex.
- *The Uniform Relocation Assistance and Real Property Acquisition Act of 1970* prohibits unfair and inequitable treatment of persons as a result of projects that are undertaken with Federal financial assistance [23 CFR 200.7 (2)].

To ensure full compliance with Title VI and the EJ Order, KYOVA developed a strategy and will strive to engage the identified minority, low-income and other negatively affected populations in the transportation decision-making process. The strategies may include:

- Using data developed by the U. S. Census Bureau to identify areas with high concentrations of low-income and minority populations and other negatively affected populations that may be identified;
- Consultation with and respond to the organizations representing low-income and minority populations;
- Routinely evaluate the participation process to develop options for better reaching the identified populations;
- Utilize media (such as print, television, radio, newspaper) targeted to low-income or minority populations;
- A process to review and/or request additional information and a process to file complaints regarding discrimination.

KYOVA's Fiscal Assistant/Title VI Environmental Officer will serve as the coordinator for Title VI, ADA and Section 504 as they pertain to transportation issues in the Huntington, WV-KY-OH TMA. The Fiscal Assistant/Title VI Environmental Officer may be contacted by phone at (304) 523-7434, Fax (304) 529-7229, or by writing to KYOVA Interstate Planning Commission, 400 Third Avenue, Huntington, WV 25701.

#### ***Public Review and Comment***

Draft plans will be available for public review and comment at least one week in advance of any public meeting. In addition to all other notices, KYOVA will post the notice and Draft Participation Plan(s) on the KYOVA website <http://www.kyovaiipc.org>. All comments received prior to the public meeting will be available at the public meeting(s).

#### ***ADA Requirements***

All draft plans will be available in accessible formats during the review period. Individuals requiring alternative formats must provide a written request at least seven working days prior to the public meeting. All public meetings will be conducted at sites that are handicapped accessible.

#### ***Public Meetings***

Public meetings will be held at convenient times and accessible locations on all required transportation plans and programs. Meetings may be advertised using:

- Legal Advertisement: A legal advertisement will be placed in the newspaper with the largest circulation within the project area at least one week before the scheduled public meeting;
- Flyers: Flyers will be distributed to county/city libraries and other public places;
- Radio: Announcement of meeting(s) will be requested to be aired on local radio station(s) under their public interest topics;
- KYOVA Website: Electronic format – Information may be accessed through the KYOVA website – <http://www.kyovaipc.org>.

### ***Visualization Techniques***

Visualization techniques may be utilized to illustrate the project(s) or program(s) seeking public comment. This may include maps, charts, models, displays, slide shows, PowerPoint presentation, photographs, etc.

### ***Public Events***

Public events may be used based upon the time of the public event to the project and/or when appropriate.

### ***Other Methods for Notification of Available Information***

Additional notification of planning efforts and public meetings may be used as determined by KYOVA to encourage citizen, stakeholder and agency involvement. This includes, but is not limited to, mailed notices and e-mail notices to neighborhood associations, community organizations, civic groups and other interested parties, newsletters, website notices and posters. KYOVA will strive to include as many of the above elements as possible in developing planning or project documents.

### ***Final Public Outreach***

This outreach phase may be used as a means to inform the public of the comments and the outcome of the meetings. The following are some examples that may be employed during the final outreach activities.

- Issuance of press releases to the local media and follow-up contacts as necessary.
- Request public service announcement(s).
- Direct e-mails to interested individuals and parties.
- Posting information on the KYOVA website ([www.wvs.state.wv.us/kyova/](http://www.wvs.state.wv.us/kyova/)).
- Hold public open house meeting(s).
- Hold Policy Committee meetings, which are open to the public.

## **Section 4**

### **Transportation Committees**

To satisfy the requirements of *Title 23 Part 450 and Title 49 Part 613*, a prospectus or bylaws address how the MPO will outline the continuing, comprehensive, and cooperative (“3C”) transportation planning process for the region. The prospectus or bylaws outlines the organization of the MPO and requires a Policy Committee to be designated and established as the committee that ensures a cooperative transportation planning, decision-making and programming process affecting the metropolitan transportation planning area. The Prospectus for the Metropolitan Transportation Planning Process for KYOVA defines the roles and responsibilities of the Policy Committee (PC) and Technical Advisory Committee (TAC).

#### **Policy Committee (PC)**

KYOVA has a Policy Committee (PC) that is comprised of members from within the five counties of the Huntington, WV-KY-OH TMA. The Policy Committee List, upon request, can be obtained from the KYOVA office. The PC is responsible for providing opportunities for citizen participation in the transportation planning process.

The PC meets on a quarterly basis. Meetings are held at locations announced in advance. If no business is pending, such meetings may be cancelled by the Committee Chair until the next scheduled meeting. Other meetings are called on an as-needed basis. All meetings of the PC are open to the public. Upon request, anyone can be placed on the PC mailing list for notification of meeting and activities. Notices of the PC meetings will be mailed to those on the PC distribution list at least 7 days prior to the meeting. With prior notification special accommodations may be made for the disabled persons or citizens without transportation to attend PC meetings. The PC provides an opportunity at each meeting to hear any public comments in one of the following ways:

- Public comments and KYOVA’s response may be incorporated into the meeting minutes, with a copy to the commenter, or;
- The PC may instruct KYOVA staff to respond directly to the commenter by letter or e-mail.

Acknowledgement and response to the public’s comment is part of the participation feedback process and shows the public that their comments are being seriously considered and area being addressed by KYOVA.

#### **Technical Advisory Committee (TAC)**

KYOVA’s Technical Advisory Committee (TAC) role is to advise and provide technical guidance and assistance to the PC in carrying out the goals and objectives of the MPO. The KYOVA TAC is comprised of the transportation planning professionals from the MPO staff and representatives appointed by the PC from local organizations or resource agencies. The TAC Membership List, upon request, can be obtained from the KYOVA office

The TAC meets on a quarterly basis. If no business is pending, such meetings may be cancelled by the Committee Chair until the next scheduled meeting. Other meetings are called on an as-needed basis with meetings open to the general public. Upon request, anyone may be placed on the TAC mailing list for notifications of meetings and activities. With prior notification special accommodations may be

made for the disabled persons or citizens without transportation to attend TAC meetings. The TAC provides time at each meeting to hear public comments regarding items discussed on its agenda. The TAC responds to any public comment at the TAC meeting in one of the following ways:

- Public comments and KYOVA's response may be incorporated into the meeting minutes, with a copy to the commenter, or
- The TAC may instruct KYOVA staff to respond directly to the commenter by letter or e-mail.

Acknowledgement and response to the public comments is part of the participation feedback process by showing the public that their comments are being seriously considered and are being addressed by KYOVA.

## ***Section 5***

### ***Transportation Safety and Security***

MAP-21 like SAFETEA-LU requires each of the state's Department of Transportation to develop and implement a Strategic Highway Safety Plan (SHSP) after consultation with:

- Highway Safety Representatives from the Governor's office;
- Regional transportation planning organizations and metropolitan planning organizations;
- Representatives of major modes of transportation;
- State and local traffic enforcement officials;
- Persons responsible for administering *23 USC Section 130* at the State level;
- Representatives conducting a motor carrier safety program;
- Motor Vehicle Administration agencies.

As part of the public outreach KYOVA solicits information on safety and security issues dealing with the transportation issues in our communities. The public has a unique advantage point to observe safety and security problems within their regions that could go unnoticed by the planners. KYOVA encourages comments on these matters and forwards the public's views to the proper authorities for analysis in the overall planning process. The goal is to ensure that we provide the safest and most secure transportation system for our region, thus preventing/reducing highway fatalities and injuries.

## **Section 6**

### ***Demographics of the Huntington, WV-KY-OH TMA***

The KYOVA Interstate Planning Commission, as mentioned earlier, is responsible for the transportation planning activities for the West Virginia counties of Cabell and Wayne; Kentucky counties of Boyd and Greenup and Lawrence County, Ohio. The policies and programs of KYOVA will strive to avoid any disproportionately negative impacts on minority and low-income populations. Where needed, the transportation system should provide equal access to the benefits of employment, education, and community. Prior to determining the overall policies and programs of the Huntington, WV-KY-OH TMA, a demographic analysis was conducted to evaluate the current demographics for the region. Target outreach population analysis can be found in *Appendix A*. The data utilized for the demographic data was taken from the *2010 U.S. Census Bureau and the 2008-2012 American Community Survey*.

## **Section 7**

### ***Proactive Public Involvement Methods***

Outreach efforts will strive to involve as many people in the community as possible, paying particular attention to those individual groups we have identified and to make them aware of the process as well as encourage their input. Newspaper advertisements, flyers in county/city libraries and announcements by local radio stations will be included in the outreach process. Additionally,

- KYOVA will seek places that cater to the low-income and disabled populations and will attempt to solicit feedback from these populations. For those who wish to receive the information electronically, our web-site (<http://www.kyovaipc.org>) will provide the information in a web-based format.
- Meetings and documents will be posted on the KYOVA website (<http://www.kyovaipc.org>).
- Comments (electronically, written or verbal) will be solicited from the public.
- Invite the public to submit electronic, written or verbal comments on the transportation plans.
- Visualization technique (maps, graphs, photos, presentations, drawings, etc.) may be employed to describe KYOVA's plans and programs.

### ***Public Transit Outreach***

KYOVA Interstate Planning Commission, Tri-State Transit Authority (TTA), Ashland Bus System (ABS) and the Lawrence County Transit (LCT) wish to ensure that public concerns and issues regarding public transit are identified and addressed in an open and collaborative process. A variety of public involvement activities regarding transit are available to help KYOVA, TTA, ABS and LCT determine what the current and potential transit markets are, what problems or issues need attention, what service improvements are desired by current and potential riders and how TTA, ABS and LCT can serve the needs of the Huntington, WV-KY-OH Urbanized Area. Public outreach may include, but are not limited to:

1. Public Input Forms (on-line reporting, new stops/routes, general needs)
2. Public Meetings
3. Public Comment Opportunities (Board/Commission meetings TTA, ABS, LCT, KYOVA, etc.)

### ***FTA Program of Projects (POP) Participation Requirements***

KYOVA is required to prepare a Program of Projects (POP) to solicit public input for all projects receiving federal transit funding from the Federal Transit Administration (FTA). The projects identified in the POP are added to the TIP through an Amendment or Administrative Modification. The KYOVA Interstate Planning Commission, TTA, ABS, LCT, WV Division of Public Transit, KYTC and ODOT have agreed that the public and agency outreach procedures for the TIP Amendment and Administrative Modification process as outlined in KYOVA's Participation Plan are adequate to meet the public input requirements for the POP and meet the intent of the federal planning regulations. All public notices issued by KYOVA for public involvement activities, such as advertisements, public review and comment, and timelines established for the MTP and/or TIP will satisfy the POP requirements for the Tri-State Transit Authority (TTA), Ashland Bus System (ABS) and Lawrence County Transit (LCT), and will state that on all announcements.

## Section 8

### ***Participation Guidelines for the Huntington, WV-KY-OH TMA***

This section outlines specific public participation guidelines for Huntington, WV-KY-OH TMA Metropolitan Transportation Plan (MTP), Huntington, WV-KY-OH TMA Transportation Improvement Program (TIP), Human Services Coordinated Transit Plan and the Congestion Management Process (CMP).

#### ***A. Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP) Update***

The Metropolitan Transportation Plan (MTP) is a long-range, twenty-year (or more) transportation investment and multimodal policy document. It serves to guide the responsible use of public funds for transportation purposes. The Transportation Improvement Program (TIP) is a short-range, four year subset of the MTP which outlines the immediate scheduling and funding of projects. The following guidance should be followed for both MTP and TIP updates and during the development of a new MTP or TIP.

- Public Meetings will be held as deemed necessary to discuss transportation needs for the Huntington, WV-KY-OH TMA. KYOVA will obtain input from these meetings for use in the MTP/TIP, Project Identification Forms (PIFs) and other transportation documents. The KYOVA staff will prepare the Draft MTP/TIP from the data collected at the public meeting(s).
- The Technical Advisory Committee (TAC) reviews Draft MTP/TIP.
- New and Updated MTP/TIP: Conformity review process with IAC and FHWA begins at or near time the TAC begins their review.
- One week prior to the public meeting
  - Draft MTP/TIP made available for public review (in-house and on-line at KYOVA website ([www.kyovaipc.org](http://www.kyovaipc.org)).
  - Legal advertisement in newspaper(s), information posted at pre-identified sites and radio announcement request to be made.
- Public meeting(s) held.
- Public Review Period: New/Updated MTP/TIP = 30 days (Amendments = 15 days)
- KYOVA staff reviews and compiles public comments.
- KYOVA staff presents public comments to TAC for review and TAC provides comments. After all comments are addressed to their satisfaction they will make a recommendation to the Policy Committee to accept the FINAL Draft MTP/TIP.
- Policy Committee (PC) reviews the Final Draft MTP/TIP and comments submitted by the TAC. The approval process is complete once the PC reviews all comments and the majority of the PC agrees to accept the FINAL Draft MTP/TIP.
- KYOVA staff provides a Resolution stating that the PC accepts the MTP/TIP.
- PC Chairman or designee signs the Resolution completing the process.
- Notification/request with back-up documentation (Resolution/Public Notice, etc.) forwarded to IAC for approval. At this time copies are also sent to the lead state FHWA (WV), requesting approval where FHWA (WV) will correspond with the IAC for their approval letters.
- Notification/request with back-up documentation (Resolution/Public Notice, etc.) forwarded to WVDOT, KYTC-Program Management, and ODOT for inclusion in the Statewide Implementation Plan (SIP).
- WVDOT, KYTC-Program Management and ODOT processes request(s) and provides Amendment/Administrative Modification number for inclusion in STIP.

**A. Amendment Process for the Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP)**

The MTP and TIP, as with any planning document, must recognize study changes. Proposed changes must be reviewed and analyzed in a uniform manner, and this is achieved through the MTP/TIP amendment policy.

The amendment process is intended to serve several major purposes, including meeting previously unforeseen needs and adding or deleting projects to/from the MTP/TIP.

The amendment process applies to projects that meet any of the following conditions:

- Add/Delete a project or phase(s) that requires a federal action (authorization) and is not eligible for an Administrative Modification;
- Change in design concept and scope of the project;
- Change in cost estimates that affect fiscal constraint;
- Change that affects air quality conformity.

There are times throughout the year when KYOVA is contacted by project sponsors concerning changes to projects. At that time, staff reviews the request and determines the appropriate action required to make the changes.

There are several key criteria and steps that must be met and adhered to when amending the MTP/TIP, which include the following:

- Projects must be reviewed for inclusion in the Metropolitan Transportation Plan.
- Projects programmed with West Virginia, Kentucky and Ohio must be reviewed for fiscal constraint.
- KYOVA must review any addition, deletion or change to the scope of a regionally significant project which contributes to and/or reduces transportation related emissions, requires a regional emissions analysis to be completed and a new conformity determination by FHWA and FTA.
- The public is afforded the opportunity to comment on the amendments and participation by interested citizens is sought as described in the KYOVA Participation Plan.
- Adoption by the Policy Committee at an open meeting. Open meetings may consist of a regularly scheduled meeting or an advertised special meeting. Meetings may be held in person, telephone conference or other electronic means such as video conference which will ensure that the members can hear, and be heard by, each other and any media or member of the public present at the meeting.

Additionally MTP/TIP Amendments should have the following:

- MTP/TIP Amendments shall have sufficient descriptive material to identify the project and include the total estimated cost. The amendments shall identify the location and project sponsor, amounts and sources of funds to be obligated each year. It shall also identify attainment and non-attainment areas and conformity type.

- For a MTP/TIP Amendment, KYOVA is responsible for notification to WVDOT, KYTC (Division of Planning), ODOT, FHWA-WV, KY and OH Divisions, FTA-Regional offices and others as identified on the *KYTC's Routing and Information Sheet* and as directed by the WVDOT and ODOT to ensure immediate action is taken and to assure that the Amendment process and appropriate public involvement procedures have been followed. Notification may be by letter or e-mail with all appropriate documentation including a signed Resolution, a MTP/TIP replacement page and public notice documentation.
- KYOVA staff will contact each Policy Committee member either by telephone or e-mail and provide a description of the amendment.
- For a STIP amendment that is solely for inclusion of an approved MTP/TIP or approved amended MTP/TIP, public involvement is not necessary as this requirement was fulfilled by KYOVA prior to WVDOT, KYTC or ODOT approval.
- The WVDOT, KYTC and ODOT are responsible for ensuring that the cost changes made to the STIP will be balanced during the STIP yearly update process.

**B. Administrative Modification Process for the Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP)**

In the event that a minor change is requested for a project in the MTP/TIP, it is possible that an Administrative Modification can be made. The following actions are eligible as Administrative Modifications to the MTP/TIP:

- Correcting obvious minor data entry errors.
- Splitting or combining projects without modifying the original project design, concept, scope and funding.
- Changing or clarifying elements of a project description (with no change in funding). This change would not alter the original project design, concept or scope.
- Moving a project from one federal funding category to another except for STP-Urbanized funding.
- Moving a project from Federal funding to State funding.
- Shifting the schedule of a project or phase within the years covered by the MTP/TIP (with no impact to fiscal constraint).
- Updating project cost estimates (within the original project scope and intent).
- Adding Planning, Design, Right of Way or Utilities "phases" to a construction project that is already included in the STIP.
- Moving any identified project phase programmed for previous year into a new TIP (rollover provision).
- Adding projects that are considered "Grouped Projects" as approved in the KYOVA Transportation Improvement Program (TIP) and Metropolitan Transportation Plan (MTP) that do not require public review, redemonstration of fiscal constraint, or conformity determination. A listing of the "Grouped Projects" and Projects Not Requiring Public Review can be found in Appendix B.

Administrative Modifications will be tracked by KYOVA staff and made available to appropriate committees through electronic communication and/or a written memorandum. Since Administrative Modifications are non-action items, this notification does not have to be presented to KYOVA committees or the public prior to approval.

**C. Amendment Policy Exclusion**

Due to the number of amendments received in past years for minor operational improvements, local and state agencies may submit a single funding request for all years of the TIP which would provide for minor operational improvements such as: pavement markings; rail-safety projects; and resurfacing, restoration, and rehabilitation of roads. This policy will only apply to projects that are air quality exempt and not regionally significant. These projects can be listed in the TIP as “Various” with a general description of the type of improvement.

**D. *Coordinated Public Transit Human Services Transportation Plan***

The Coordinated Plan’s goal is to aid in the creation of collaborative transportation services for populations having inadequate access to private transportation. The process below outlines the procedures for adopting and modifying the Coordinated Plan.

- Draft and Adopted Document: Available for review on the KYOVA website, the KYOVA office, and select libraries and county/city offices in the KYOVA planning area.
- Public Comment Period: 30-day comment period to end one week prior to Draft Plan adoption. If comments received during the designated comment period affect a significant change to the content of the Plan, a second comment public comment period will be held.
- Public Comment Summary: A summary of the public comments will be presented to the Policy Committee and will be included in the Appendix of the Plan.
- Policy and Technical Advisory Committee meetings: Public meetings at which draft and final document will be reviewed/adopted. Policy Committee adopts the Final Plan.
- If the Final Plan differs significantly from the version made available for public comment, KYOVA staff will provide additional opportunity for public comment.
- Public Meeting for Final Draft Review: Open house or other format meeting to solicit comments on draft plan. The meeting will be held during public comment period.
- Public Involvement Meeting for Development: KYOVA staff will hold workshops or other public involvement meetings from the early stages of plan development to solicit input from the general public.
- Legal Public Notice: A public notice will be published in various regional and local newspapers announcing the public comment period.
- Other Public Notification (optional): In addition to the published public notice for the public comment period, meetings may be publicized by press releases, KYOVA Facebook page, announcement on the KYVOA website, in the “Local Happenings” section of the local newspaper and announcement letters.

**E. *Participation Plan Update***

The Participation Plan lays out the strategies, techniques and methods used to provide public participation in transportation planning and programming process.

- Draft and Adopted Document: Available for review on the KYOVA website, the KYOVA office and select libraries and county/city offices in the KYOVA planning area.
- Public Comment Period: 45-day comment period to end one week prior to Draft Plan adoption. If comments received during the designated comment period affect a significant change to the content of the Plan, a second comment public comment period will be held.
- Public Comment Summary: A summary of the public comments will be presented to the Policy Committee and will be included in the Appendix of the Plan.

- Policy and Technical Advisory Committee meetings: Public meetings at which draft and final document will be reviewed/adopted. Policy Committee adopts the Final Plan
- If the Final Plan differs significantly from the version made available for public comment, KYOVA staff will provide additional opportunity for public comment.
- Public Meeting for Final Draft Review: Open house, or other format meeting, to solicit comments on draft plan. The meeting will be held during public comment period.
- Public Involvement Meeting for Development: KYOVA staff will hold workshops or other public involvement meetings from the early stages of plan development to solicit input from the general public.
- Legal Public Notice: A public notice will be published in various regional and local newspapers announcing the public comment period, public meeting dates, times and locations.
- Other Public Notification (optional): In addition to the published public notice for the public comment period, meetings may be publicized by press releases, KYOVA Facebook page, announcement on the KYOVA website, in the “Local Happenings” section of the local newspaper and announcement letters.

**F. Summary of Public Participation Policies**

**Tables 2 and 3** provide a summary of the documents required of the Huntington, WV-KY-KY TMA. For each document the required notifications, comment period, and required update schedule are included. Duration of comment periods varies based on whether the document is undergoing a major update, amendment or administrative modification.

**Table 2: Public Participation Policy Summary**

<b>Program Adoption - Update</b>			
<b>Program or Plan</b>	<b>Required Notification</b>	<b>Comment Period</b>	<b>Required Updates</b>
Metropolitan Transportation Plan (MTP)	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	30 calendar days	Every 4 years
Transportation Improvement Program (TIP)	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	30 calendar days	Every 4 years
Unified Planning Work Program (UPWP)	No public comment required but consultation with other state and federal agencies	N/A	Every Year
Participation Plan	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	45 calendar days	To reflect the most recent census or modification in the agency policy
Human Services Coordination Plan	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	30 calendar days	Every 5 years
<b>Program Amendments</b>			
Metropolitan Transportation Plan (MTP)	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	15 days	As needed
Transportation Improvement Program (TIP)	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	15 days	As needed
Unified Planning Work Program (UPWP)	No public comment required but consultation with other state and federal agencies	N/A	As needed
Participation Plan	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	15 days	As needed
Human Services Coordination Plan	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	15 days	As needed

**Table 3: KYOVA Participation Procedures Summary Table**

Press Release/PSA	Website Announcement	Targeted Public Outreach	Publication of Legal Notice	Citizen Advisory Committee	Early Public Involvement	Public Involvement Meeting Forum	Policy and Technical Committee Review	Other Public Involvement Meetings	Public Comment Summary	Public Comment Period Duration		
√	√	√	√	√	√	√	*	√	30 days	Metropolitan Plan Update	<b>Planning Activities</b>	
√	√					√	*	√	15 days	Metropolitan Plan Amendment		
√	√	√	√			√	√	*	√	30 days		TIP Update
√	√					√	*	√	15 days	TIP Amendment		
√	√	√	√			√	√	*	√	45 days		Participation Plan
√	√	√	√			√	√	*	√	30 days		Coordinated Transit Plan
*	*	*	*	*	*	√	*	*	15 days	Other Documents*		

**G. Measuring Effectiveness of the Participation Plan**

Successful evaluation of the effectiveness of the *Participation Plan* requires tracking outreach activities and establishing initial baseline measurements. Reasonable efforts will be made to regularly evaluate the public participation process.

KYOVA continually strives for improved public involvement. Improvements should be made to increase public awareness and to improve the quantity and quality of information provided to the public. The decisions made by the MPO affect the entire population, both residents and visitors of the Huntington, WV-KY-OH TMA. Therefore, seeking public input on those decisions is vital to the success of KYOVA as the agency responsible for transportation planning for the Huntington, WV-KY-OH TMA.

KYOVA staff will monitor the amount of public participation resulting from each public outreach activity. This will be accomplished through various means, including:

- Taking attendance at public outreach meetings using a sign-in sheet;
- Keeping a log of contacts with the public, via phone, mail, e-mail, fax, in-person meetings or other means which resulted from a public outreach activity;
- Keeping a record of attendance and involvement at MPO events;
- Tracking the number of completed surveys or comment cards received from a public outreach event;
- Tracking distribution of public information materials, including brochures, newsletters and other publications;
- Tracking number of addresses on mailing list; and
- Other means appropriate for the type of public outreach.

The monitoring will identify any special circumstances which may have contributed to an unusually high or low attendance. It will also identify the nature of the notification process for the public

outreach activity, including press releases, paid advertising, mailed notices, e-mails, phone calls and other means.

On an annual basis, the information collected through monitoring public outreach will be compiled and evaluated to assess the effectiveness of each type of outreach activity. This will include both a quantitative assessment of the number of participants, as well as a qualitative assessment of the level of interaction and information exchanged. The assessment will note the public involvement techniques used, the public's response, the public involvement objectives that were met by the meeting and any change to how the activity should be conducted in the future.

The monitoring and evaluation process will be used to determine the effectiveness of existing public involvement techniques. Each time a public involvement evaluation is performed, a list of improvement strategies needed should be identified for implementation. If improvement is needed for an ongoing public involvement task, such as the KYOVA website, a reasonable completion date should be established. If improvements are needed for one-time activities, such as corridor studies, the improvements should be implemented where appropriate on future activities. Records of the monitoring and evaluation process will be kept on file at the KYOVA office.

#### ***H. Other Significant Activities/Products***

KYOVA will consider and undertake appropriate outreach procedures on a case by case basis for other significant activities/products including but not limited to Studies (Corridor, Safety, Bicycle, Pedestrian, etc.) and Certification Reviews.

#### ***I. Coordination with the Statewide Participation Plan***

Consultation with agency partners and interested parties will utilize many of the Public Participation Tools and Techniques, including electronic communication (e-mail and web-based), electronic newsletters, project workshops, small group meetings/focus groups, public hearings, comment forms, online interactive maps, surveys/questionnaires and direct mailings. Consultation with agencies in review and comment of project and plans administered by KYOVA, at a minimum, will subscribe to the comment period stated previously.

#### ***Federal, State and Local Agencies***

In developing the MTP and TIP, KYOVA staff will consult with local and regional agencies and officials responsible for other planning activities within the Huntington, WV-KY-OH TMA. This consultation may include local, regional, and/or private agencies responsible for planned growth, economic development, environmental protection, airport operations, freight movement, land use management, natural resources, conservation and historic preservation. Ongoing coordination with these agencies will help identify effective mitigation strategies for potential impacts of projects included in the MTP. The MTP, TIP and UPWP may be developed with due consideration of other related planning activities within the Huntington, WV-KY-OH TMA, including the design and delivery of transportation services within the area that are provided by:

- Recipients of assistance under Title 49, U.S.C. Chapter 54;
- Governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation service; and
- Recipients of assistance under 23 U.S.C 204.

Interagency agreements may be maintained between KYOVA and other local, regional and state agencies. The agreements will describe KYOVA's role and responsibility in relation to the other agencies' work.

### ***Interested Parties***

KYOVA will provide the notice of public review meetings or review periods being held on the draft and final documents of the MTP, TIP, Participation Plan and Coordinate Plan. Notice will be provided to known interested parties:

- Public transportation providers;
- Users of public transportation;
- Users of pedestrian walkways and bicycle facilities;
- Freight shippers;
- Providers of freight transportation services;
- Military installations;
- Private providers of transportation;
- Disabled, Elderly, Low-income and Limited English-speaking populations;
- Providers of non-emergency transportation services receiving financial assistance from a source other than Title 49, U.S.C. Chapter 53.s.

## ***Section 9***

## ***Grouped Projects and Projects Not Requiring Public Review***

There are various highway improvement projects that are considered non-controversial and produce negligible impacts other than positive benefits for safety, traffic operations or preservation. These projects are usually identified by category in the MTP and TIP. These types of projects are generally not produced by the planning process and are usually a result of necessary traffic maintenance to correct existing problems and/or deficiencies or they may be the result of a successful grant application by local governments or entities. Allowing additions and changes to project information for grouped projects to be processed as administrative modifications rather than as amendments to the MTP and/or TIP with its corresponding requirement for public review will streamline the transportation planning process and allow projects to be authorized without unnecessary delay. The public may offer comments on project information for *Grouped Projects* as part of the PC and TAC meeting's public comment time on the Agenda. A recommended list of grouped projects that would allow modifications to the MTP and TIP to be approved through an expedited process without a requirement for public review can be found in **Appendix B**. Any project listed in **Appendix B** could be subject to public involvement requirements if KYOVA, in consultation with the state DOT (West Virginia, Kentucky and/or Ohio) and/or the Federal Highway Administration (West Virginia, Kentucky and/or Ohio) determine that public review is appropriate due to a potential for controversy, negative impacts or public concern for any other reason.

# **APPENDIX A**

## **Targeted Outreach Analysis**

## Targeted Outreach Analysis

Appendix A describes the complete KYOVA process for identifying and prioritizing targeted outreach efforts. The Huntington, WV-KY-OH TMA has included the following community members in the targeted outreach efforts to the traditionally underserved: the elderly, minorities; persons in poverty; educational attainment; the disabled; and those who speak English “less than very well”. The process of outreach to the traditionally underserved involves identifying focus areas, where large numbers of these community members live. KYOVA has conducted demographic research and identified census tract-level focus areas for area residents comprising each of these categories of the traditionally underserved.

### A. Demographic Analysis and Selection of Focus Areas

To identify and document where to focus outreach efforts to the traditionally underserved, KYOVA determined that census tracts would provide the best scale for geographically locating the traditionally underserved populations. Using 2010 decennial data and 2008-2012 American Community Survey estimates from the US Census Bureau, KYOVA staff selected data tables that estimated the number of people in the following six categories: individuals below poverty; individuals age 65 or more; minority individuals; educational attainment; individuals who speak English “less than very well”; and individuals age 5 and over with a disability. Using these six categories and data from all 78 census tracts located within the Huntington, WV-KY-OH TMA, the average of each category was determined. **Table A-1** shows the five-county and regional average for each category where Table A-2 shows the detailed demographics for the five county area by Census Tract.

**Table A-1: County and Regional Average for Targeted Outreach Determination**

County Averages by Census Tracts	Cabell County, WV	Wayne County, WV	Boyd County, KY	Greenup County, KY	Lawrence County, OH	Regional Averages
% below Poverty	27.38	19.29	20.76	16.84	16.74	20.20
% Age 65 and over	15.40	18.12	17.63	17.12	14.22	16.50
% Minorities	10.36	1.54	5.18	2.64	4.45	4.83
% High School Graduate or higher	86.40	85.92	87.72	81.54	84.06	84.53
% who speak English “Less than very well”	0.71	0.13	0.89	0.47	0.13	0.47
% with a disability, age 5 and over	20.17	22.03	22.05	19.68	20.83	20.95

To identify the census tracts that have large percentages of the traditionally underserved, KYOVA identified those census tracts that had the ten highest percentages in each of the six categories. Staff then identified how many categories in the top ten each had. If a census tract had one or two categories in the top ten it was identified as a Secondary Focus Area. If a census tract had three or more categories in the top ten it was identified as a Primary Focus Area. If a census tract had no categories in the top ten, it was not listed.

Census tracts that are Primary Focus Areas are identified in orange and Secondary Focus Areas are identified in yellow. Maps on the following pages show the location of the various census tracts by county.

**Table A-2: Focus Areas for Targeted Outreach**

State	County	Census Tract	% Below Poverty	% Age 65 and Older	% Minority	% HS or Greater	% Speaks English "Less Than Very Well"	% Disability	Focus Area
West Virginia	Cabell	2	33.7	19.7	5.8	64.9	0.3	33.5	Secondary
		3	40.2	12.9	6.8	81.5	1.0	16.2	Secondary
		4	51.6	7.8	13.3	88.1	0.3	12.5	Primary
		5	87.8	1.2	15.6	96.2	6.1	5.9	Primary
		6	66.1	18.1	19.7	86.2	4.5	19.6	Primary
		10	28.8	16.0	4.7	85.9	0.0	31.5	Secondary
		13	28.3	11.4	15.1	91.8	0.0	17.3	Secondary
		14	19.4	12.6	43.8	86.6	1.5	16.5	Secondary
		15	42.4	22.3	42.2	77.8	0.8	24.7	Primary
		16	32.3	6.4	24.7	79.6	0.0	25.6	Secondary
		18	47.9	11.8	12.1	79.6	1.0	29.8	Primary
		19	7.2	22.1	8.0	97.5	0.0	12.3	Primary
		21	12.3	26.2	4.6	93.3	0.5	15.6	Secondary
		102.02	7.3	22.1	4.6	91.4	1.3	16.1	Secondary
	103	7.9	22.3	2.5	88.4	0.4	14.9	Secondary	
	109	38.8	13.5	8.71	88.0	0.0	35.7	Primary	
	Wayne	205	16.7	20.5	1.2	74.4	0.1	23.6	Secondary
		208	35.5	12.6	1.2	74.3	0.4	24.1	Secondary
		209	26.6	18.8	1.2	63.5	0.0	21.2	Secondary
		210	32.7	17.3	0.7	65.3	0.0	35.0	Secondary
Kentucky	Boyd	302	32.5	8.0	11.4	75.5	3.3	30.1	
		303	27.9	25.0	10.9	87.4	2.2	20.7	Secondary
		304	23.0	21.4	6.8	74.4	0.4	34.1	Primary
		306	10.6	21.5	1.6	91.1	0.5	20.3	Secondary
		308	48.0	14.1	5.2	83.5	0.0	21.2	Secondary
		310.01	19.8	24.5	0.8	87.9	0.0	29.6	Secondary
		310.02	14.5	12.6	12.8	86.8	2.7	17.1	Secondary
	313	19.0	16.4	1.9	78.5	1.2	23.1	Secondary	
	Greenup	401	7.9	19.9	4.7	90.4	1.4	16.2	Secondary
		403	15.7	15.7	2.1	86.4	1.2	23.4	Secondary
405.02		19.3	15.6	3.5	73.3	0.0	19.6	Secondary	
	407	21.8	16.9	1.6	67.8	1.0	20.1	Secondary	
Ohio	Lawrence	501	14.1	27.0	3.4	85.3	0.0	22.1	Secondary
		503	34.8	14.0	19.2	84.1	0.0	25.9	Primary
		504	18.9	14.7	3.9	86.1	0.2	26.6	Secondary
		507	15.3	17.4	2.1	77.0	0.2	22.4	Secondary

**Figure A-1: KYOVA Focus Areas for Targeted Outreach**

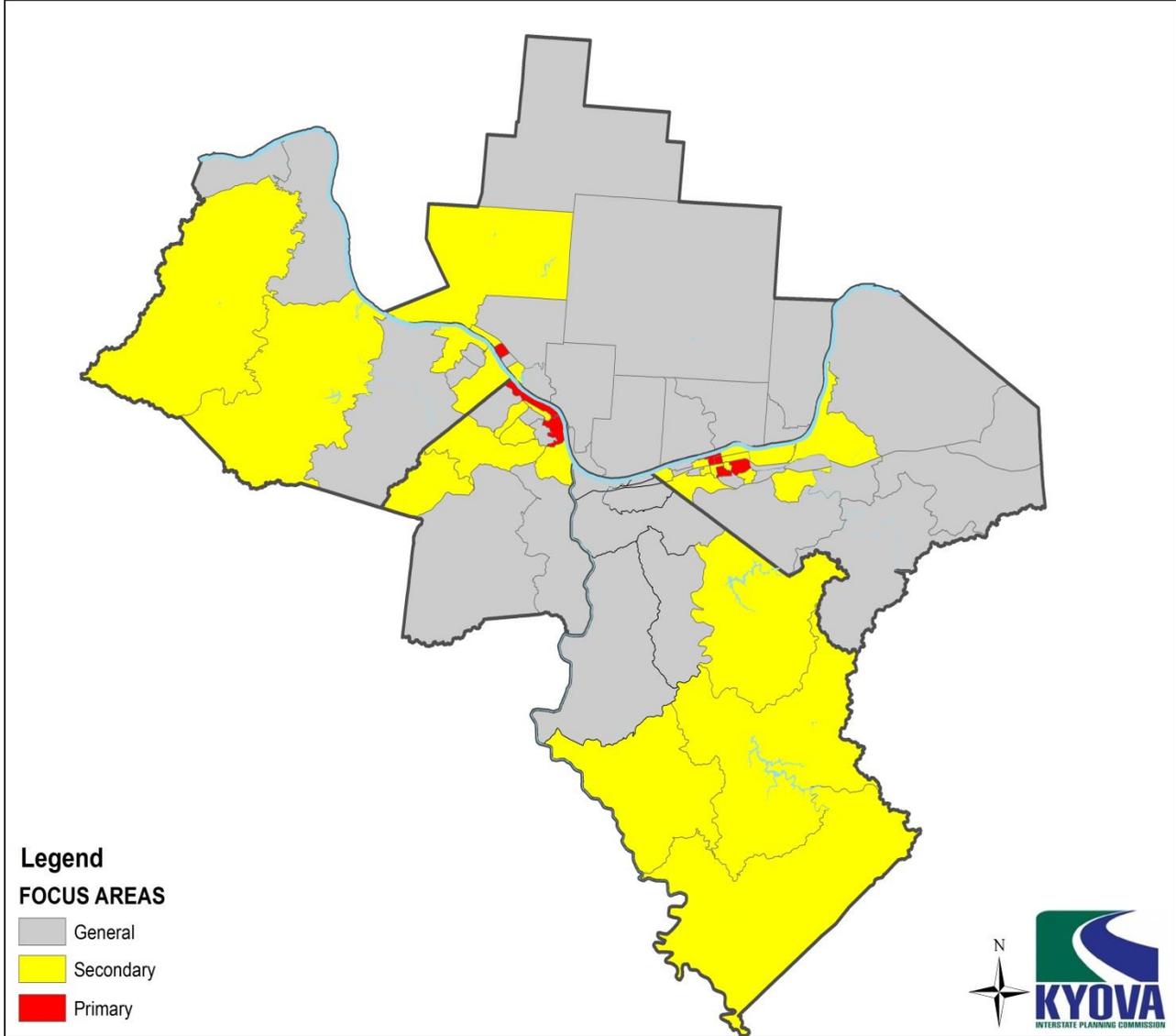


Figure A-2: Cabell County, WV Focus Areas for Targeted Outreach

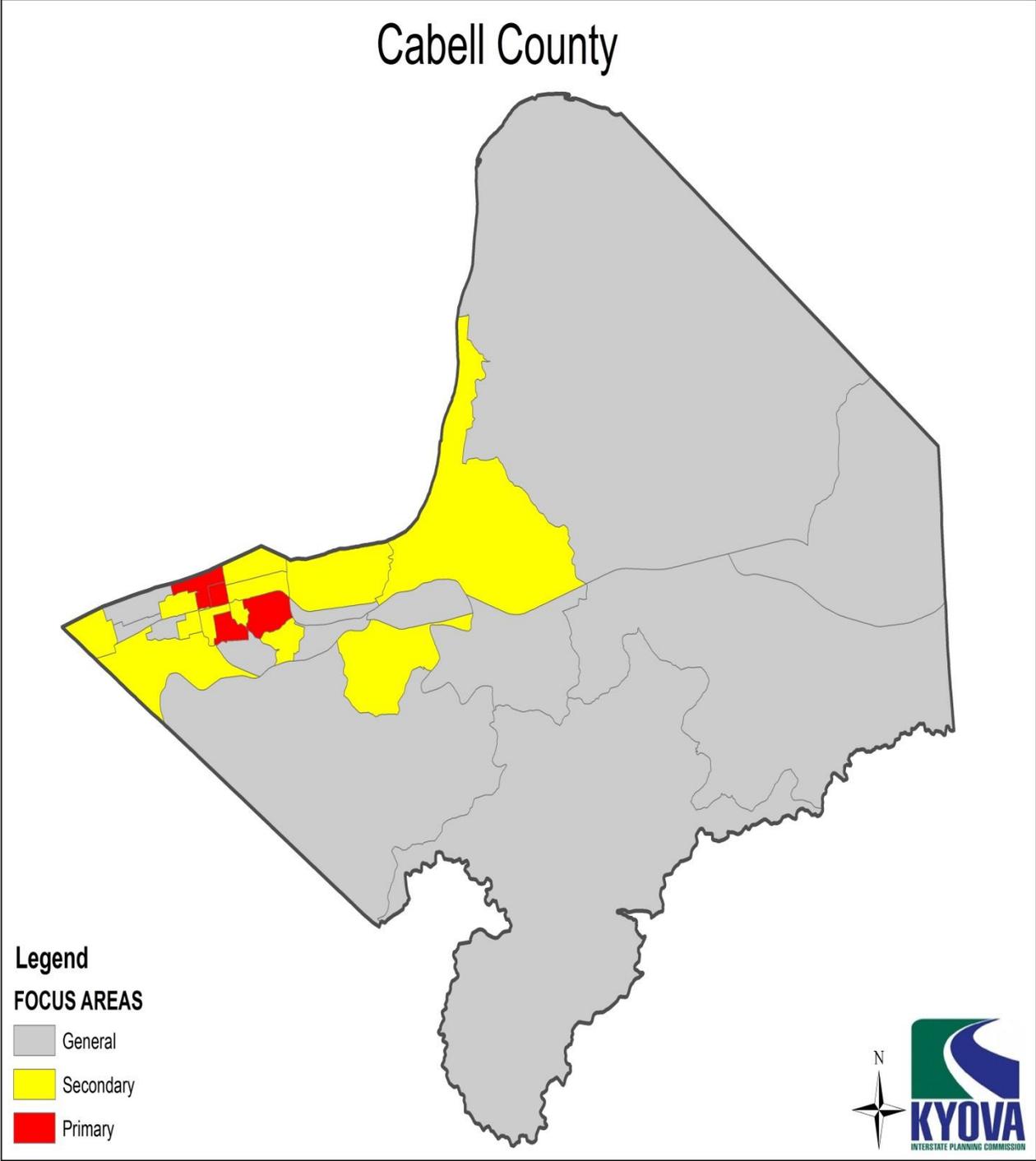


Figure A-3: Wayne County, WV Focus Areas for Targeted Outreach

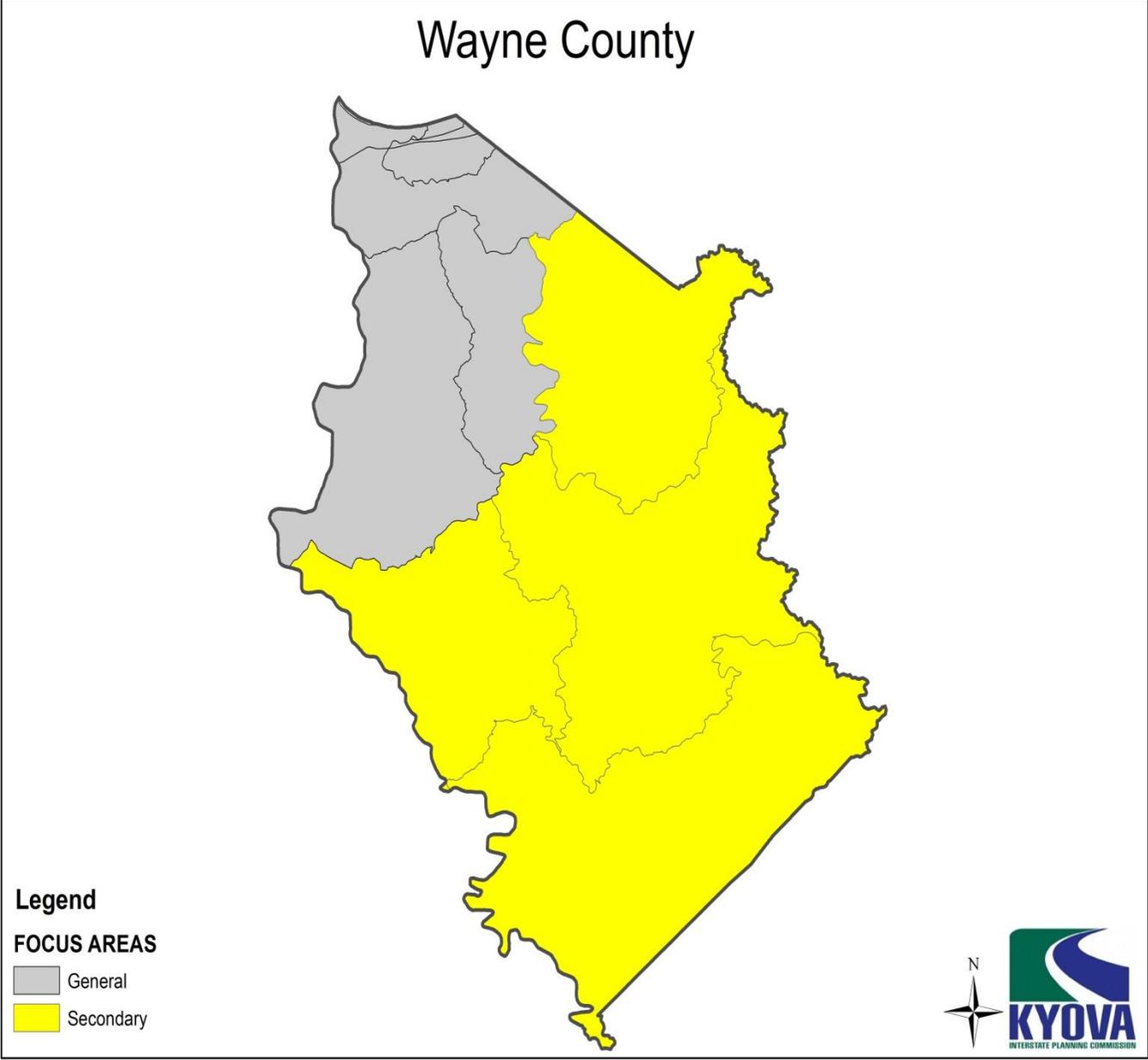


Figure A-4: Boyd County, KY Focus Areas for Targeted Outreach

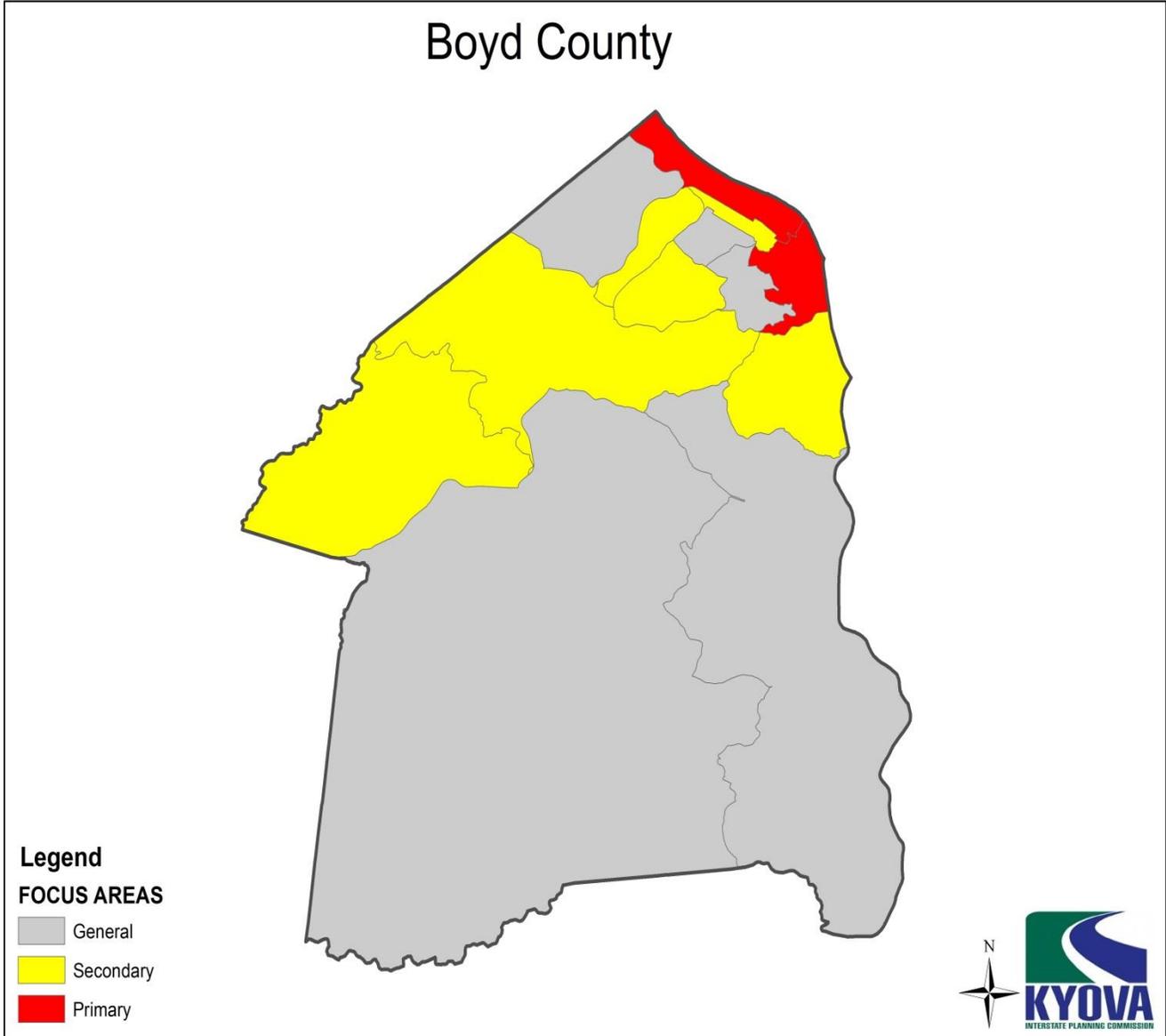


Figure A-5: Greenup County, KY Focus Areas for Targeted Outreach

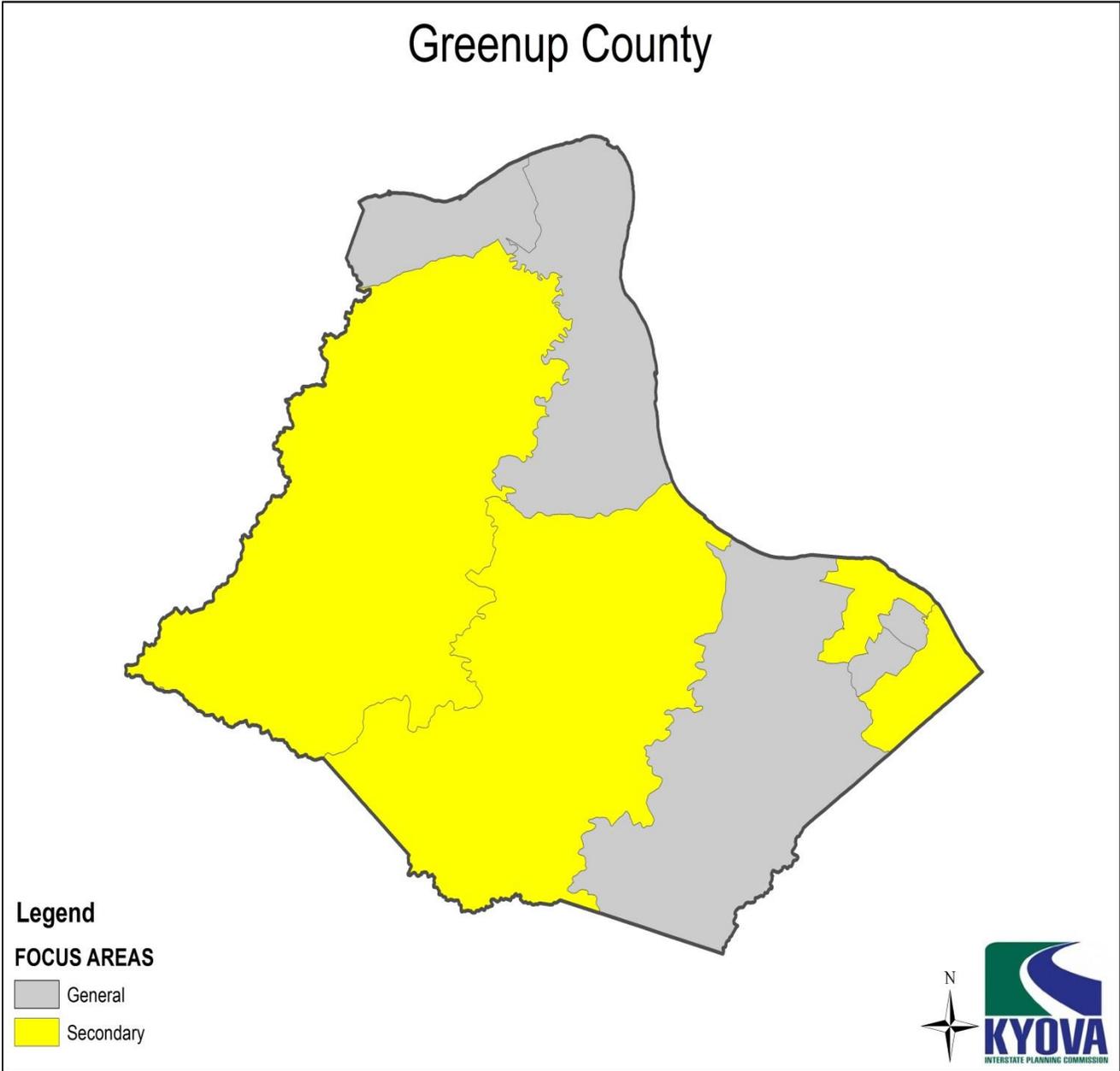
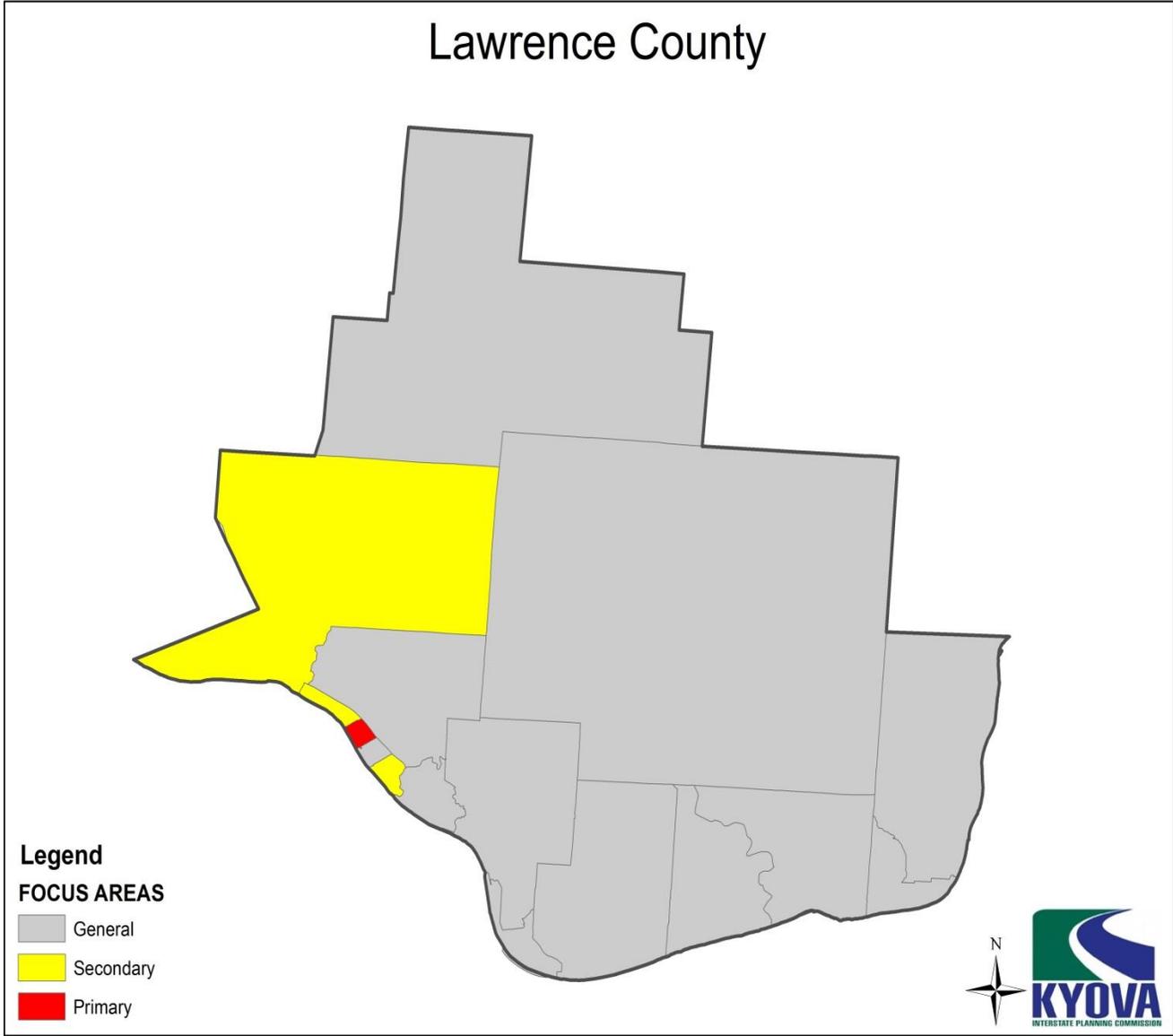


Figure A-6: Lawrence County, OH Focus Areas for Targeted Outreach



# **APPENDIX B**

## **Projects Not Requiring Public Review and Grouped Project List**

## **Projects Not Requiring Public Review and Grouped Project List**

Amendments to the Transportation Plan and/or Transportation Improvement Program may be processed for the listed project types without a requirement for public review. The list is a selected compilation of federally approved “categorical exclusion” and air quality conformity “exempt” projects.

**Table B-1: Projects Not Requiring Public Review**

<b>Safety Projects</b>	
Railroad/Highway Crossings	Skid Treatments
Shoulder Improvements	Adding Medians
Increasing Sight Distance	Truck climbing lanes outside the urbanized areas
Traffic control devices and operating assistance	Lighting improvements
Railroad/highway crossing and warning devices	Widening narrow pavemens for reconstructing, rehabilitation, or replacement of bridges (no additional travel lanes)
Guardrails, median barriers, crash cushions	Emergency truck pullovers
Pavement markings	Changes in vertical and horizontal alignment which meet criteria for categorical exclusion
Emergency relief	Truck size and weight inspection stations
Fencing	Interchange reconfiguration projects
Changes in access control for safety	Safe routes to school projects

<b>Transit Projects</b>	
Operating assistance to transit agencies	Construction of small transit passenger shelters and informaiton kiosks
Purchase of transit support vehicles	Reconstruction or renovation of transit buildings and structures
Rehabilitation of transit vehicles	Purchase of new buses or rail cars to replace existing vehicles or for minor expansions
Purchase of office, shop and operating equipment for exisitng transit facilities	Construction of new bus or rail storage maintenance facilities
Purchase of operating equipment for transit vehicles (e.g. radios, fareboxes, lifts, etc.)	Bus terminal and transfer points
Construction or renovation of power, signal and communications systems for transit	Transportation corridor fringe parking facilities

<b>Air Quality Projects</b>
Continuation of ride-sharing and van-pooling promotion activities at current levels

<b>Other Minor Projects</b>	
Planning and technical studies	Planing and landscaping
Engineering to assess social, economic and environmental effects of the proposed action	Sign removal
Noise abatement	Directional and information signs
Emergency or hardship advance land acquisitions	Acquisition of scenic easements
Repair of damage caused by natural disaster, civil unrest or terrorist acts	

**Grouped Project List included in the Huntington, WV-KY-OH MTP and TIP Grouped Project List**

Grouped Project List includes types of projects for which public review is not required. KYOVA has incorporated this list into their MTP and TIP to expedite the process for Administrative Modifications. Anticipated projects include but are not limited to:

- HSIP – High Cost Safety Improvement
- HSIP – Low Cost Safety Improvement
- HSIP – Lane Departure Resurfacing Improvements
- HSIP – Lane Departure Roadway Section Improvements
- HSIP – Drive Smart Safety Corridors
- HSIP – Older Drivers
- HSIP – High Risk Rural Roads
- Median Guardrail/Cable Projects
- Rail Crossing Projects
- Rail Crossing Separation
- Intersection Improvements for Safety or Efficiency
- Other Highway Safety Improvements
- Intelligent Transportation System (ITS) Projects
- Traffic Signal System Improvements
- Highway Signing
- Pavement Resurfacing, Restoration, and Rehabilitation
- Pavement Markers and Striping
- Bridge Replacement
- Bridge Rehabilitation
- Bridge Inspection
- Bridge Painting
- Safe Routes to School
- Transportation Enhancement Projects (TE)
- Transportation, Community, and System Preservation (TCSP)
- Congestion Mitigation Air Quality (CMAQ) Projects
- Recreational Trails Program
- Commuter Ridesharing Programs
- Bicycle and Pedestrian Facilities
- Park & Ride Facilities
- Purchase of New Buses (to replace existing vehicles or for minor expansion)
- Rehabilitation of Transit Vehicles
- Transit Operating Assistance
- Transit Operating Equipment
- Transit Passenger Shelters and Information Kiosks
- Construction or Renovation of Transit Facilities
- Planning and Technical Studies

# **APPENDIX C**

## **Participation Plan Public Outreach Activities and Documentation**

## Public Outreach Activities and Documentation

The following are copies of notices published in the newspapers of the largest circulation in each of the states within the Huntington, WV-KY-OH TMA on August 4, 2014. The Draft Participation Plan was available for review at several locations as well as on the KYOVA website – see notices for locations and website link.

Figure C-1: Participation Plan Public Notices

**AVAILABILITY NOTICE TO THE PUBLIC  
KYOVA INTERSTATE PLANNING COMMISSION  
DRAFT PARTICIPATION PLAN**

The Herald Dispatch: August 4, 2014

<p><b>PUBLIC NOTICE KYOVA INTERSTATE PLANNING COMMISSION DRAFT PARTICIPATION PLAN</b></p> <p>The KYOVA Interstate Planning Commission is seeking public comment for the Huntington WV-KY-OH Urbanized Area Transportation Management Area (TMA) on its Draft Participation Plan. The Plan helps to guide public involvement in the development and modifications of KYOVA's Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP) and the Unified Planning Work Program (UPWP). It is used to engage a broad array of organizations, interests and constituencies in the development of these documents. Public Involvement helps ensure that the concerns of residents and stakeholders of the region are identified and addressed in decision-making, resulting in better transportation outcomes.</p> <p>The Participation Plan's 45-day public comment period begins on August 6, 2014 and</p>	<p><b>Legal Notices</b></p> <p>concludes at the close of business on September 19, 2014. A copy of the Plan is available online at the KYOVA website (<a href="http://www.wvs.state.wv.us/kyova">http://www.wvs.state.wv.us/kyova</a>) under the announcements tab/public comment or by contacting Michele P. Craig, Executive Director or Saleem Salameh, Ph.D., P.E., Transportation Study Director, at 304-523-7434. Email requests and comments may be sent to <a href="mailto:ssalameh@kyovaipc.org">ssalameh@kyovaipc.org</a>. Copies for viewing, along with comment forms are available at the KYOVA Interstate Planning Commission Office, Cabell County Courthouse, Wayne County Courthouse, Regional Intergovernmental Council (RIC) in South Charleston, WV, Boyd and Greenup County Fiscal Court Offices, City of Ashland Public Works Department, Boyd County Public Library, Flatwoods Public Library, Ashland Transit Center and the Lawrence County Chamber of Commerce in South Point, Ohio.</p> <p>A Public Meeting/Open House will be held on August 28, 2014 at the KYOVA Interstate Planning Commission Office located at 400 Third Avenue Huntington, WV 25701.</p> <p>Please submit all written comments no later than 4 p.m. September 19, 2014 to the KYOVA Interstate Planning Commission, Attn: Participation Plan, 400 Third Avenue, Huntington, WV 25701 or to <a href="mailto:ssalameh@kyovaipc.org">ssalameh@kyovaipc.org</a></p> <p><b>LH-24274 8-4; 2014</b></p>
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The Ashland Daily Independent: August 4, 2014

**PUBLIC NOTICE  
KYOVA INTERSTATE PLANNING COMMISSION  
DRAFT PARTICIPATION PLAN**

The KYOVA Interstate Planning Commission is seeking public comment for the Huntington WV-KY-OH Urbanized Area Transportation Management Area (TMA) on its Draft Participation Plan. The Plan helps to guide public involvement in the development and modifications of KYOVA's Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP) and the Unified Planning Work Program (UPWP). It is used to engage a broad array of organizations, interests and constituencies in the development of these documents. Public Involvement helps ensure that the concerns of residents and stakeholders of the region are identified and addressed in decision-making, resulting in better transportation outcomes.

The Participation Plan's 45-day public comment period begins on August 6, 2014 and concludes at the close of business on September 19, 2014. A copy of the Plan is available online at the KYOVA website (<http://www.wvs.state.wv.us/kyova>) under the announcements tab/public comment or by contacting Michele P. Craig, Executive Director or Saleem Salameh, Ph.D., P.E., Transportation Study Director, at 304-523-7434. Email requests and comments may be sent to [ssalameh@kyovaipc.org](mailto:ssalameh@kyovaipc.org). Copies for viewing, along with comment forms are available at the KYOVA Interstate Planning Commission Office, Cabell County Courthouse, Wayne County Courthouse, Regional Intergovernmental Council (RIC) in South Charleston, WV, Boyd and Greenup County Fiscal Court Offices, City of Ashland Public Works Department, Boyd County Public Library, Flatwoods Public Library, Ashland Transit Center and the Lawrence County Chamber of Commerce in South Point, Ohio.

A Public Meeting/Open House will be held on August 28, 2014 at the KYOVA Interstate Planning Commission Office located at 400 Third Avenue Huntington, WV 25701.

Please submit all written comments no later than 4 p.m. September 19, 2014 to the KYOVA Interstate Planning Commission, Attn: Participation Plan, 400 Third Avenue, Huntington, WV 25701 or to [ssalameh@kyovaipc.org](mailto:ssalameh@kyovaipc.org).

Published: August 4, 2014

***Public Meeting/Open House***

A Public Meeting/Open House was held on August 28, 2014 from 8:30 a.m. to 4:30 p.m. at the KYOVA office. A participation sign-in sheet was provided for attendees.

*No comments were received during the Public Meeting/Open House.*

***Public Comments***

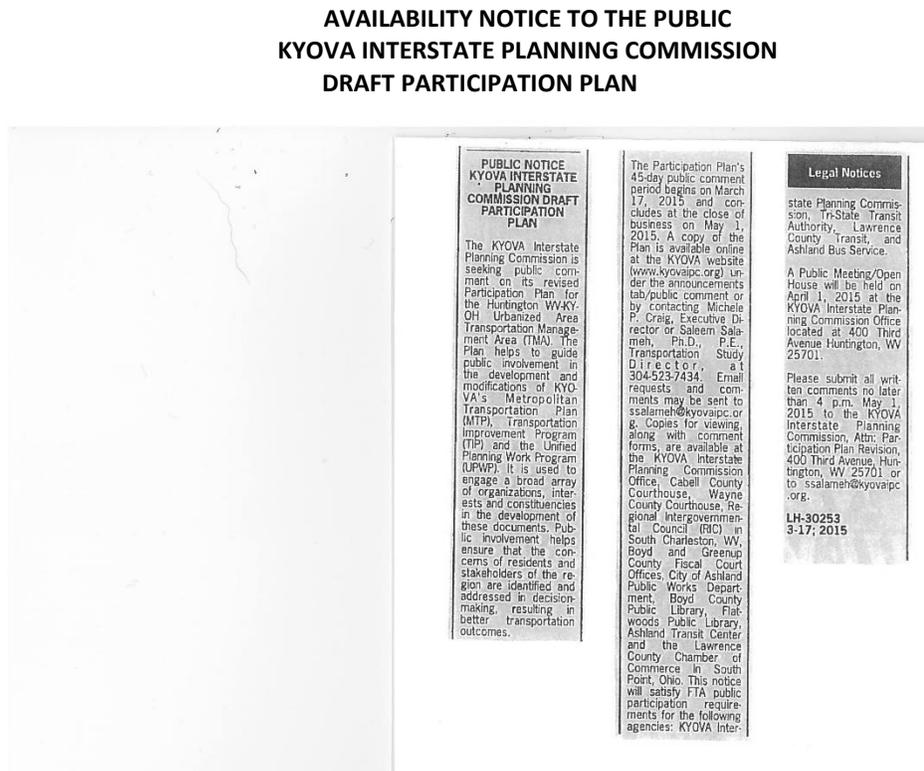
This section includes the comments received during the 45-day public comment period. Also included are the replies on how the comments were addressed.

*No comments were received during the 45-day public comment period (August 6, 2014 through close of business September 19, 2014).*

## Amendment #1

The following is a copy of the notice published in *The Herald Dispatch* (the newspaper with the largest circulation within the Huntington, WV-KY-OH TMA) on March 17, 2015. The amended Draft Participation Plan was available for review at several locations as well as on the KYOVA website – see notices for locations and website link.

**Figure C-2: Participation Plan Public Notices**



### **Public Meeting/Open House**

A Public Meeting/Open House was held on April 1, 2015 from 8:30 a.m. to 4:30 p.m. at the KYOVA office. A participation sign-in sheet was provided for attendees.

*No comments were received during the Public Meeting/Open House.*

### **Public Comments**

This section includes the comments received during the 45-day public comment period. Also included are the replies on how the comments were addressed.

*No comments were received during the 45-day public comment period (March 17, 2015 through close of business May 1, 2015).*

# **APPENDIX D**

## **Interagency Coordination Contact List**

**Table D-1: Huntington, WV-KY-OH TMA Interagency Consultation List**

	<b>KENTUCKY (Boyd, Greenup Counties)</b>	<b>OHIO (Lawrence County)</b>	<b>WEST VIRGINIA Kanawha, Cabell, Putnam Counties)</b>
<b>MPO</b>			
<b>Mail to</b>	Michele Craig, Executive Director KYOVA Interstate Planning Commission 400 Third Avenue/P. O. Box 939 Huntington, WV 25701	Michele Craig, Executive Director KYOVA Interstate Planning Commission 400 Third Avenue/P. O. Box 939 Huntington, WV 25701	Michele Craig, Executive Director KYOVA Interstate Planning Commission 400 Third Avenue/P. O. Box 939 Huntington, WV 25701
<b>Contact</b>	Saleem A. Salameh, Technical Study Director E-mail: <a href="mailto:ssalameh@kyovaipc.org">ssalameh@kyovaipc.org</a> Phone: 304-523-7434 Fax: 304-529-7229	Saleem A. Salameh, Technical Studies Director E-mail: <a href="mailto:ssalameh@kyovaipc.org">ssalameh@kyovaipc.org</a> Phone: 304-523-7434 Fax: 304-529-7229	Saleem A. Salameh, Technical Studies Director E-mail: <a href="mailto:ssalameh@kyovaipc.org">ssalameh@kyovaipc.org</a> Phone: 304-523-7434 Fax: 304-529-7229
<b>FEDERAL TRANSPORTATION</b>			
<b>Mail to</b>	Thomas Nelson, Division Administrator Federal Highway Administration – KY 330 West Broadway Frankfort, KY 40601-1981	Laurie Leffler, Division Administrator Federal Highway Administration – OH 200 N. High Street, Room 328 Columbus, OH 43215-2408	Thomas Smith, Division Administrator Federal Highway Administration – WV 700 Washington Street East Charleston, WV 25301
<b>Contact</b>	Greg Rawlings, Planner E-mail: <a href="mailto:gregory.rawlings@dot.gov">gregory.rawlings@dot.gov</a> Phone: 502-223-6728 Bernadette Dupont, Air Quality <a href="mailto:bernadette.dupont@dot.gov">bernadette.dupont@dot.gov</a> Phone: 502-223-6729 Fax: 502-223-6735	Noel Mehlo, Planner E-mail: <a href="mailto:neol.mehlo@dot.gov">neol.mehlo@dot.gov</a> Phone: 614-280-6848 Leigh Oesterling, Air Quality E-mail: <a href="mailto:leigh.oesterling@dot.gov">leigh.oesterling@dot.gov</a> Phone: 614-280-6837 Fax: 614-280-6876	Jason Workman, Planning & Research E-mail: <a href="mailto:jason.workman@dot.gov">jason.workman@dot.gov</a> Phone: 304-347-5266 Amy Fox, Air Quality E-mail: <a href="mailto:amy.fox@dot.gov">amy.fox@dot.gov</a> Phone: 304-347-5436 Fax: 304-347-5103
<b>STATE TRANSPORTATION</b>			
<b>Mail to</b>	Michael Hancock, Secretary Kentucky Transportation Cabinet 200 Mero Street, Suite 613 Frankfort, KY 40622	Jerry Wray, Director Ohio Department of Transportation 1980 W. Broad Street, Mail Stop 3280 Columbus, OH 43223	Paul Mattox, Secretary WV Department of Transportation 1900 Kanawha Blvd E, Bldg. 5 Charleston, WV 25304-0430
<b>Contact</b>	Central Office Thomas Witt, Transportation Eng. Specialist E-mail: <a href="mailto:thomas.witt@ky.gov">thomas.witt@ky.gov</a> Justin Harrod, Air Quality <a href="mailto:justin.harrod@ky.gov">justin.harrod@ky.gov</a> Phone: 502-782-5093 Fax: 502-564-4422  Flemingsburg District Office (HDO9) Joe Callahan, Planning E-mail: <a href="mailto:joe.callahan@ky.gov">joe.callahan@ky.gov</a> Darrin Eldridge, Planning E-mail: <a href="mailto:darrin.eldridge@ky.gov">darrin.eldridge@ky.gov</a> Bart Bryant, Chief District Engineer E-mail: <a href="mailto:bart.bryant@ky.gov">bart.bryant@ky.gov</a> Phone: 606-845-2551	Andrew Hurst, Transportation Planner <a href="mailto:andrew.hurst@dot.state.oh.us">andrew.hurst@dot.state.oh.us</a> Phone: 614-466-7826 Sara Walton, Planner <a href="mailto:sara.walton@dot.state.oh.us">sara.walton@dot.state.oh.us</a> Dave Moore, Air Quality <a href="mailto:dave.moore1@dot.state.oh.us">dave.moore1@dot.state.oh.us</a> Sam Granato, TDF <a href="mailto:sam.granato@dot.state.oh.us">sam.granato@dot.state.oh.us</a> Phone: 614-728-2065/995-0754/466-0754/ 644-6796 Fax: 614-728-9358	Rob Pennington <a href="mailto:robert.pennington@wv.gov">robert.pennington@wv.gov</a> Phone: 304-558-3113 Perry Keller, Unit Leader-Statewide & Urban Planning <a href="mailto:perry.j.keller@wv.gov">perry.j.keller@wv.gov</a> Phone: 304-558-9591 Elwood Penn, Regional Planning Unit Leader <a href="mailto:Elwood.c.penn@wv.gov">Elwood.c.penn@wv.gov</a> Phone: 304-558-9618 Richard Warner, Planning Section Head <a href="mailto:richard.l.warner@wv.gov">richard.l.warner@wv.gov</a> Phone: 304-558-9629 Perry McCutcheon, Air Quality <a href="mailto:perry.i.mccutcheon@wv.gov">perry.i.mccutcheon@wv.gov</a> 304-558-9286 Timothy Sedosky, Air Quality <a href="mailto:timothy.b.sedosky@wv.gov">timothy.b.sedosky@wv.gov</a> Phone: 304-558-9575 Fax: 304-558-3783
<b>FEDERAL AIR AGENCY</b>			
<b>Mail to</b>	Scott Davis, Branch Chief – Air Planning Environmental Protection Agency, Region 4 61 Forsyth Street, S.W. , 12 <sup>th</sup> Floor Atlanta, GA 30303-8909	John Mooney, Branch Chief – Air Programs Environmental Protection Agency, Region 5 77 West Jackson Boulevard Mail Code: AR-18J Chicago, IL 60604-3507	David D. Arnold, Director – Air Protection Environmental Protection Agency, Region 3 1650 Arch Street Mail Code: 3APOO Philadelphia, PA 19103-2172
<b>Contact</b>	Dianna Myers, Environmental Scientist E-mail: <a href="mailto:myers.dianna@epa.gov">myers.dianna@epa.gov</a> Phone: 404-562-9207 Fax: 404-562-9019	Tony Maietta, Environmental Science E-mail: <a href="mailto:maietta.anthony@epa.gov">maietta.anthony@epa.gov</a> Phone: 312-353-8777 Pamela Blakley, Chief E-mail: <a href="mailto:blakley.pamela@epa.gov">blakley.pamela@epa.gov</a> Phone: 312-886-4447 Fax: 312-355-4135	Gregory Becoat, Environmental Protection Spec. Mail Code: 3AP30 E-mail: <a href="mailto:becoat.gregory@epa.gov">becoat.gregory@epa.gov</a> Phone: 215-814-2036 Fax: 215-814-2101

<b>State Air Agency</b>			
<b>Mail to</b>	Sean Alteri, Director – Division for Air Quality KY Energy & Environment Cabinet 200 Fair Oaks, 1 <sup>st</sup> Floor Frankfort, KY 40601 Phone: 502-564-3999	Robert Hodanbosi, Chief – Air Pollution Control Ohio EPA – Division of Air Pollution Control 50 West Town Street, Suite 700 (P. O. Box 1049) Columbus, OH 43215 (43216-1049)	David Fewell, Planning Section WV Dept. of Environmental Protection – Division of Air Quality 601 57 <sup>th</sup> Street SE Charleston, WV 25304
<b>Contact</b>	Leslie Poff, – Evaluation Section E-mail: <a href="mailto:lesliem.poff@ky.gov">lesliem.poff@ky.gov</a> Phone: 502-564-3999 x: 4420 Joe Forgacs, Evaluation Section E-mail: <a href="mailto:joe.forgacs@ky.gov">joe.forgacs@ky.gov</a> Phone: 502-564-3999, Ext. 4422 Fax: 502-564-4666	Michael Maleski E-mail: <a href="mailto:michael.maleski@epa.state.oh.us">michael.maleski@epa.state.oh.us</a> Phone: 614-644-1961 Jennifer Van Vlerah <a href="mailto:jennifer.vanvlerah@epa.state.oh.us">jennifer.vanvlerah@epa.state.oh.us</a> Phone: 614-644-3696 Fax: 614-644-3681	David Fewell, Planning Section E-mail: <a href="mailto:david.r.fewell@wv.gov">david.r.fewell@wv.gov</a> Phone: 304-926-0499 Ext. 1255 Fax: 304-926-4079
<b>Federal Transit</b>			
<b>Mail to</b>	Yvette Taylor, Regional Administrator Federal Transit Administration – Region 4 230 Peachtree St., NW, Suite 1400 Atlanta, GA 30303-1512	Marisol R. Simon, Regional Administrator Federal Transit Administration – Region 5 200 W. Adams Street, Suite 320 Chicago, IL 60606	Terry Garcia Crews, Regional Administrator Federal Transit Administration – Region 3 1760 Market Street, Suite 500 Philadelphia, PA 19103-4124
<b>Contact</b>	Abigail Rivera, Community Planner E-mail: <a href="mailto:abigail.rivera@dot.gov">abigail.rivera@dot.gov</a> Phone: 404-865-5624 Fax: 404-865-5605	Vanessa Adams, Community Planner E-mail: <a href="mailto:vanessa.adams@dot.gov">vanessa.adams@dot.gov</a> Phone: 312-886-0309 Fax: 312-886-0351	Michele DeAngelis, Community Planner E-mail: <a href="mailto:michele.deangelis@dot.gov">michele.deangelis@dot.gov</a> Phone: 215-656-7051 Fax: 215-656-7260
<b>State Transit</b>			
<b>Mail to</b>	Michael Hancock, Secretary Kentucky Transportation Cabinet 200 Mero Street, Suite 613 Frankfort, KY 40622	Chuck Dyer, Administrator Ohio Office of Transit 1980 W. Broad Street, 2 <sup>nd</sup> Floor Mail Stop: 3110 Columbus, OH 43233	William (Bill) Robinson, Director West Virginia Division of Public Transit 1900 Kanawha Blvd E, Bldg. 5, Room 650 Charleston, WV 25305
<b>Contact</b>	Vickie Bourne, Executive Director (Office of Transportation Delivery) E-mail: <a href="mailto:Vickie.bourne@ky.gov">Vickie.bourne@ky.gov</a> Ann Estes, Project Manager E-mail: <a href="mailto:ann.estes@ky.gov">ann.estes@ky.gov</a> Phone: 502-564-7433 Fax: 502-564-2058	Lori Spencer, Federal Programs Coordinator E-mail: <a href="mailto:lori.spencer@dot.state.oh.us">lori.spencer@dot.state.oh.us</a> Phone: 614-466-5262 Fax: 614-887-4153	Todd Dorcas, Community Development Specialist E-mail: <a href="mailto:todd.m.dorcas@wv.gov">todd.m.dorcas@wv.gov</a> Phone: 304-558-0428 Fax: 304-558-0174
<b>Local Transit</b>			
<b>Mail to</b>	Marion Russell, Director for Public Works City of Ashland Ashland Bus System P.O. Box 1839 / 9915 <sup>th</sup> Street) Ashland, KY 41105	Mike Payne, Public Transportation Director Lawrence County Transit (LCT) 223 South Second Street Ironton, OH 45638	Paul Davis, CEO Tri-State Transit Authority (TTA) P. O. Box 7965 1120 Virginia Avenue Huntington, WV 25779
<b>Contact</b>	Marion Russell, Public Works Director /Ashland Bus System City of Ashland P.O. Box 1839 Ashland, KY 41105 E-mail: <a href="mailto:mrussell@ashlandky.org">mrussell@ashlandky.org</a> Phone: 606-327-2007 Fax: 606-327-2060	Mike Payne, Public Transportation Director Lawrence County Transit (LCT) 223 South Second Street Ironton, OH 45638 E-mail: <a href="mailto:mpayne@ilcao.org">mpayne@ilcao.org</a> Phone: 740-532-2269 Fax: 740-532-2340	Paul Davis, CEO E-mail: <a href="mailto:pdavis@tta-wv.com">pdavis@tta-wv.com</a> Phone: 304-529-6095 Fax: 304-529-7300

# **APPENDIX E**

## **SAFETEA-LU/MAP-21 Guidelines for Public Participation**

## ***SAFETEA-LU/MAP-21 Guidelines for Public Participation***

The requirements for the metropolitan transportation planning and programming as described under SAFETEA-LU Section(s) 1107, 6001 and 23 USC 104, and 134, the metropolitan transportation planning process shall "... a proactive public involvement process that provides complete information, timely public notice, and full public access to key decisions..." An important element of this process is early and continuing public involvement in the development of the Transportation Improvement Program, Metropolitan Transportation Plan, Unified Planning Work Program, and other transportation planning reports.

1. As specified in these guidelines, the criteria summarized below must be adhered to:
  - a. Require minimum public comment period of 45 days before the Participation Plan is initially adopted or revised.
  - b. Provide timely information about transportation issues and processes to all interested parties and segments of the community affected by transportation plans.
  - c. Provide the reasonable public, technical, and policy information in the development of plans, TIPs and open public meetings using appropriate forms of visualization techniques such as maps, artist's rendering, models, etc.
  - d. Require adequate public notice of public involvement activities and time for public review and comment at key decision points.
  - e. Demonstrate explicit consideration and response to public input received during the planning process.
  - f. Seek out and consider the needs of those traditionally underserved by existing transportation system, including but not limited to low-income and minority households.
  - g. When significant written or oral comments are received on draft plans, a summary, analysis, and report on the comments shall be included in the final plan.
  - h. If a final plan differs significantly from the draft reviewed by the public, an additional opportunity for public comment shall be made available.
  - i. The Participation Plan shall be reviewed annually by the Transportation Committees for its effectiveness, with a comprehensive review on a four-year basis.
  - j. These procedures will be reviewed by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) during certification reviews for Transportation Management Areas (TMA), and as otherwise needed for all MPO's and transportation planning agencies to ensure that full and open access is provided to MPO and transportation decision-making processes.
  - k. MPO and transportation planning public involvement processes shall be coordinated with statewide public involvement processes wherever possible.
2. This public involvement process shall be also consistent with Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each state under 23 USC 324 and 29 USC 794. This legislation ensures that no person shall, on the grounds of race, color, sex, national origin, or physical handicap be subjected to discrimination. This process will also identify actions necessary to comply with the Americans with Disabilities Act of 1990.
3. The process should be a coordinated effort that provides for the involvement of agencies concerned with traffic, ridesharing, parking, transportation safety and enforcement, other transportation agencies and local officials.

4. KYOVA will strive to involve the appropriate local, state and federal agencies responsible for the following:
  - a. Land-Use
  - b. Natural Resources
  - c. Environmental Protection: Kentucky Environmental Protection Agency
  - d. Conservation
  - e. Historic Preservation: State Historic Preservation Offices and Historical Societies
  
6. The MPO and Participation Plan will apply to any major metropolitan transportation investment, management systems such as congestion management, public transportation, or intermodal, the twenty year transportation plan, the TIP, and TIP amendments. The state and MPO shall annually certify to the FHWA and the FTA that the planning process is addressing the major issues facing the area and is being conducted in accordance with all applicable requirements.

# **APPENDIX F**

## **Regulatory Requirements**

## Regulatory Requirements

The Federal-Aid Highway Act of 1962 created the federal requirement for urban transportation planning largely in response to the construction of the Interstate Highway System and the planning of routes through and around urban areas. This legislation required, as a condition attached to federal transportation financial assistance, that transportation projects in urbanized area of 50,000 in population to develop comprehensive transportation plans to receive federal funding for road construction projects. *The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)* and the *Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21)* expanded and placed greater emphasis on the role of MPO's in transportation planning. As part of this legislation, public participation was stressed as a part of the transportation planning and decision making process. The Ashland Area MPO is responsible for establishing a planning process for the region that is continuing, cooperative and comprehensive (3C process) in its approach to transportation planning, including maintaining a formal process for public participation.

The federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), enacted in 2005, requires that MPO's develop and utilize a "participation plan" that provides reasonable opportunities for interested parties (citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled) to comment on the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), and other planning documents and activities within the MPO. Further, this participation plan must be developed "in consultation with all interested parties" and the public must have input on the participation plan. Following adoption by the Policy Committee, this participation plan will guide the development of all transportation plans and projects and must be in place before the MPO can take action on an updated or amended MTP and TIP.

Federal requirements for the public participation activities were issued in the Code of Federal Regulations, 23 CFR Part 450 and 49 CFR Part 613, but the US Department of Transportation in 1994. SAFTEA-LU mandates that the metropolitan transportation planning process contain the following participation elements:

### **23 CFR 450.316**

1. The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcome for:
  - i. Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed MTP and TIP;
  - ii. Providing timely notice and reasonable access to information about transportation issues and processes;
  - iii. Employing visualization techniques to describe the MTP and TIP;
  - iv. Making public information (technical information and meeting notices) available in electronically accessible formats and means;
  - v. Holding any public meeting at convenient and accessible locations and times;
  - vi. Demonstrating explicit consideration and response to public input received during the development of the MTP and TIP;

- vii. Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
  - viii. Providing an additional opportunity for public comment, if the final MTP or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from public involvement efforts;
  - ix. Coordinating with the statewide transportation planning public involvement and consultation processes wherever possible to enhance public consideration of the issues, plans, and programs and reduce the redundancies and costs;
  - x. Periodically reviewing the effectiveness of the procedures and the strategies contained in the participation plan to ensure a full and open participation process.
2. When significant written and oral comments are received on the draft MTP and TIP (including the financial plans) as a result of the participation process or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR Part 93), a summary, analysis, and report on the disposition of comments shall be made as part of the final MTP and TIP.
  3. A minimum public comment period of 45 calendar days shall be provided before the initial Participation Plan is adopted by KYOVA. Copies of the approved Participation Plan shall be provided to the FHWA and FTA for informational purposes and shall be posted on the KYOVA's website.

#### **49 CFR Part 21**

Be consistent with Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each State under 23 U.S.C 324 and 29 U.S.C. 794), which ensure that no person shall, on the grounds of race, color, sex, national origin, or physical handicap, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program receiving Federal assistance from the United States Department of Transportation.

#### **Executive Order 12898**

Comply with Presidential Executive Order 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Environmental Justice directed federal agencies to develop environmental justice strategies to help federal agencies address disproportionately high and adverse human health or environmental effects of their programs on minority or low-income populations.

#### **49 CFR Part 37**

Comply with the Americans with Disabilities Act (ADA) and the US Department of Transportation regulations "Transportation for Individuals with Disabilities". Meetings and hearings must be held in ADA-compliant buildings and special accommodations must be made for those with disabilities to participate in meetings, and planning and programming activities.